



W.P.Nos.15317 & 15318, 15250 to 15252, 15342 to 15345 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.15317 & 15318, 15250 to 15252 of 2012,
15342 to 15345 of 2012 and
MP.Nos.1 of 2012 (6 Nos.)

WP.No.15317 of 2012

K.Mani

... Petitioner

Vs.

- 1.State of Tamilnadu,
Rep. by the Secretary to Government,
Education Department,
Fort St.George, Chennai-9
- 2.The Director of School of Education,
(Higher Secondary),
College Road, Chennai – 6
- 3.The Chief Educational Officer,
Krishnagiri,
Krishnagiri District
- 4.The District Educational Officer,
Krishnagiri, Krishnagiri District
- 5.The Headmaster,
Government Boys High School,
Hosur, Krishnagiri District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the third and fourth respondents to regularize the services of the petitioner in the permanent



W.P.Nos.15317 & 15318, 15250 to 15252, 15342 to 15345 of 2012

post of Office Assistant with effect from the date of initial appointment in the regular time scale of pay with all monetary and attendant benefits in the light of the order passed by this Court in WP.No.18126 of 2008 dated 29.07.2008 and GO.Ms.No.111 dated 09.05.2012.

For Petitioner
in all WP's : No appearance

For Respondents
in all WP's : Mr.K.H.Ravikumar,
Government Advocate

COMMON ORDER

These writ petitions have been filed for direction to the third and fourth respondents to regularise the petitioners' service in the permanent post of Office Assistant with effect from the date of their initial appointment in the regular time scale of pay.

2. The petitioners were appointed as Night Watchman, Sweeper and Office Assistant at the fifth respondent / respective Schools by the Parents Teachers Association on part time daily wage. One of such part time employees, one, M.Kumar filed writ petition in WP.No.18126 of 2008 for regularising his service. As directed by this Court, the



W.P.Nos.15317 & 15318, 15250 to 15252, 15342 to 15345 of 2012

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Government passed GO.Ms.No.111 School Education (R1) Department dated 09.05.2012 directing the second respondent to relax the rules so as to enable part time employees to be regularised.

3. On perusal of records, the petitioners were appointed by the Parents Teachers Association and they were not sponsored by the Employment Exchange. That apart, GO.Ms.No.111 School Education (R1) Department dated 09.05.2012 is not applicable to the petitioners and it is applicable only to the person concerned i.e. the person who approached this Court. Further, GO.Ms.No.22, Personnel and Administrative Reforms (F) Department, dated 28.02.2006 was passed in order to regularise the service of the daily wage employees working in all Government Departments who rendered 10 years of service as on 01.01.2006. However, the said Government Order is not applicable to the petitioners. Hence, the direction sought for in these writ petitions cannot be considered. As such, these writ petitions are devoid of merits and liable to be dismissed.

4. Accordingly, all the writ petitions are dismissed.



W.P.Nos.15317 & 15318, 15250 to 15252, 15342 to 15345 of 2012

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

17.08.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order
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W.P.Nos.15317 & 15318, 15250 to 15252, 15342 to 15345 of 2012

G.K.ILANTHIRAIYAN, J.

