



WEB COPY



W.P.No.22887 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2023

CORAM

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

W.P.No.22887 of 2011

and

M.P.No.1 of 2011

Jesuraj Basker

.... Petitioner

Vs

1. The Director of School Education,
D.P.I. Campus
College Road,
Chennai – 6.
2. The District Educational Officer
Office of D.E.O
Pudukottai.
3. The Principal / Correspondent
Punitha Arockia Annai Higher Secondary School,
Keranur – 622502.
Pudukottai District.
4. The Chief Educational Officer
Office of D.E.O
Pudukottai.

.... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for WRIT OF MANDAMUS directing the 1st respondent to regularize the service period 03.07.2007 to 03.01.2010 as Office Assistant



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and consequently direct the 1st respondent to pay arrear salary payable for having service rendered from 03.07.2007 to 03.01.2010 by considering the petitioner's representation dated 15.07.2011 and by considering the consequently petitioner made representation to 1st respondent dated 19.09.2011.

For Petitioner : M/s. I. Arockia Selvaraj

For R1, R2 & R4 : Mr. M. Muthusamy
Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus for direction directing the 1st respondent to regularize the service period from 03.07.2007 to 03.01.2010 as Office Assistant and consequently direct the 1st respondent to pay arrear salary payable for having service rendered from 03.07.2007 to 03.01.2010 by considering the petitioner's representation dated 15.07.2011 and by considering the consequently petitioner made representation to 1st respondent dated 19.09.2011.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1, 2 & 4 and perused the materials available on record.



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3. The petitioner was appointed as Office Assistant in the third respondent School in the vacancy created due to the demise of one Savarimuthu on 01.07.2007. The petitioner was appointed by the third respondent as Office Assistant on 03.07.2007. His appointment was duly forwarded by the third respondent to the second respondent for approval. However, it was not considered and as such the petitioner was constrained to file a writ petition before this Court in W.P.12403 of 2009. After a direction was issued by this Court, his appointment was regularized from 04.01.2010. Therefore, the petitioner submitted a representation to regularize his service from the date of his original appointment i.e., 03.07.2007.

4. Considering the above facts and circumstances of the case, the first respondent is directed to consider the request of the petitioner as to regularization of his service and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

17.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

Lpp/Shl

To

1. The Director of School Education,
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G.K.ILANTHIRAIYAN, J.

Lpp/Shl

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