



WP.No.34665 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 34665 of 2012

and

W.M.P.No.27055 of 2016

B.Vinayagam

....

Petitioner

Vs

1. The State of Tamil Nadu
Rep. by the Secretary to Government,
Department of Education,
Fort St.George,
Chennai – 600 009.

2. The District Education Officer,
Tirupattur,
Vellore District.

3. The Head Master,
Govt. High School,
Kottamitta,
Gudiyattam Taluk,
Vellore District.

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Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent



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herein to regularise petitioner's temporary school office attender services and appoint the petitioner as a permanent office attender or sweeper or to any other suitable post with retrospective effect from 01.10.2006 with continuity of service and all attendant benefits.

For Petitioner : No appearance

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This Writ Petition has been filed for direction directing the second respondent to regularise the service of the petitioner and appoint him as permanent Office Attender or Sweeper with effective from 01.10.2006.

2. Heard the learned Additional Government Pleader appearing for the respondents. There is no representation for the petitioner and as such, this Court is inclined to pass orders on merits in this writ petition.

3. The petitioner had studied upto 10th Standard (failed) and he was working as Night Watchman-cum-Sweeper-cum-Office Attender in the third respondent School on consolidated monthly wages. Therefore, he sought for regularisation of his employment.



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4. A perusal of the counter filed by the second respondent reveals that the petitioner was appointed as Night Watchman in the third respondent School by the Parent Teachers Association that too on temporary basis and on consolidated wages. Subsequently, his service was terminated on 01.12.2012, since the Night Watchman had joined in his post.

5. Therefore, the prayer sought for in this writ petition cannot be considered. Thus, the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

08.09.2023

Index: Yes/No
Internet: Yes/No
Lpp

To

1. The Secretary to Government,
Department of Education,
Fort St. George,
Chennai – 600 009.

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2. The District Education Officer,
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