



WEB COPY



WP.No.34723 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. 34723 of 2012

and

W.M.P.No.36914 of 2016

C.Kuppan

....

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,
Vellore,
Vellore District.

3. The Head Master,
Government Girls Higher Secondary School,
Arcot,
Vellore District.

....

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 herein to regularise petitioner's temporary school office attender services and appoint



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the petitioner as a permanent office attender or to any other suitable post with retrospective effect from 23.11.2001 with continuity of service and all attendant benefits.

For Petitioner : No appearance

For Respondents : Mr.V.Veluchamy
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 with effect from 23.11.2001.

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 in the third respondent School on consolidated monthly salary. Therefore, he sought for regularisation of his employment.

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 on monthly wages of Rs.500/-. It



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was purely on temporary basis and as such, his service cannot be regularised as sought for by the petitioner. Further G.O.Ms.No.47, School Education Department, dated 02.03.2012, the Government created several posts to fill up the vacancies in various Government Schools. These appointments are made only through Employment Exchange. Further the post, in which of the petitioner was appointed, is not a sanctioned post and as such, his post cannot be regularised as requested by the petitioner. As per G.O., the second respondent called for a list from the Employment Exchange and the petitioner's name was not sponsored so far, since the petitioner has failed SSLC.

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

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Index:Yes/No

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G.K.ILANTHIRAIYAN,J.

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To

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