



WEB COPY



W.P.No.16425 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.16425 of 2020

K.Palani

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Chennai – 600 009.
- 2.The District Educational Officer,
DPI Complex, College Road,
Chennai – 600 006.
- 3.The Inspector of Anglo Indian Schools,
DPI Complex, College Road,
Chennai – 600 006.
- 4.The Correspondent,
St.George's Anglo Indian Hr. Sec. School,
738, Periyar E.V.R. Salai,
Shenoy Nagar, Chennai – 600 030.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 2nd and 3rd respondents herein to consider the representation dated 04.08.2020.

Page No.1 of 7



W.P.No.16425 of 2020

WEB COPY

For Petitioner : Mr.Malarvizhiudayakumar

For Respondents 1 to 3 : Mr.A.M.Ayyadurai,
Government Advocate

For Respondent 4 : M/s.Arul Mary,
for M/s.Father Xavier Associates

ORDER

The petitioner has filed this petition seeking direction to the 2nd and 3rd respondents herein to consider the representation dated 04.08.2020.

2. The case of the petitioner is that the petitioner viz., K.Palani had joined as Gardener with the fourth respondent school as contingent worker on 01.04.1986. Thereafter, he has been given appointment as Waterman with effect from 01.02.2007. This being so, the Government had issued G.O.Ms.No.1065 dated 19.11.1993, regularizing the service of contingent persons, who had completed five years of service. Though the petitioner has eligible for service regularization, he was not regularized by the respondents. Some of the temporary workers, who had completed five years of service had approached the Hon'ble High Court by filing writ petition in W.P.No.34107



of 2012 and the same was ordered on 16.08.2018, directing the respondents to regularize the service of contingent workers, who had completed five years of service. Subsequent to the same, the fourth respondent has forwarded the petitioner's name to the third respondent, but till date, his service was not regularized. In fact, the petitioner has made a representation dated 04.08.2020 before the 2nd and 3rd respondents, requesting to regularize his service. Since the representation being made, no action was taken. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 04.08.2020 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Government advocate appearing for the respondents 1 to 3 has no objection for the said order being passed by this Court.



W.P.No.16425 of 2020

WEB COPY

5. Heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs respondents 1 and 2 to consider the petitioner's representation dated 04.08.2020 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above direction. No costs.

31.07.2023

vm

Index : Yes/No

Speaking Order : Yes/No



WEB COPY



W.P.No.16425 of 2020

To:

- 1.The Secretary,
School Education Department,
Chennai – 600 009.
- 2.The District Educational Officer,
DPI Complex, College Road,
Chennai – 600 006.
- 3.The Inspector of Anglo Indian Schools,
DPI Complex, College Road,
Chennai – 600 006.
- 4.The Correspondent,
St.George's Anglo Indian Hr. Sec. School,
738, Periyar E.V.R. Salai,
Shenoy Nagar, Chennai – 600 030.



WEB COPY



W.P.No.16425 of 2020

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.16425 of 2020

Page No.6 of 7



WEB COPY



W.P.No.16425 of 2020

31.07.2023