



W.P.No.21505 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.21505 of 2021

S.Vimala

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Petitioner

/vs/

1. The State of Tamil Nadu,
Rep.by the Secretary to Government,
Education Department,
Fort St. George,
Chennai – 9.

2. The Director of School Education,
College Road,
Chennai – 09.

3. The Chief Educational Officer,
Thiruvallur – District.

4. The District Educational Officer,
Thiruvallur – District.

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Respondents

Writ Petition is filed under Article 226 of the Constitution of India
to issue a writ of mandamus to direct the third respondent to grant



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monetary benefits to the petitioner with effect from 14.03.1992, the date of petitioner's regularization of service as per G.O.Ms.No.68, School Education (R1) Department dated 18.04.2013 and consequently direct the respondents to pay pension from the date of petitioner's retirement on 30.12.2011 with all consequential benefits and arrears.

For Petitioner ... Mr.S.Esairani Narasimman

For Respondents ... Mr.T.Arunkumar
Additional Govt. Pleader

ORDER

This Writ Petition has been filed seeking direction to the third respondent to grant monetary benefits to the petitioner with effect from 14.03.1992 and consequently to direct the respondents to pay pension from the date of petitioner's retirement on 30.12.2011 with all consequential benefits and arrears.

2. The petitioner is said to have been appointed as part time Watch Woman in the Government Higher Secondary School, Thiruvellavoyal on 15.03.1982. The first respondent has issued G.O.Ms.111, School Education (R1) Department dated 09.05.2012 for regularizing the service of part time



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Sweepers from the date of completion of 10 years and subsequently G.O.Ms.No.68, School Education (R1) Department, dated 18.04.2013 was issued to regularize the services of those persons by granting monetary benefit from the date of completion of 10 years of service. Hence, the petitioner has filed this petition.

3. On perusal of G.O.Ms.No.68, School Education (R1) Department, dated 18.04.2013 it is seen that orders have been issued to regularize 102 workers who have filed various litigations before this Court and obtained orders. So far as 90 part time workers are concerned, it is stated in the said Government Order that they can also be absorbed provided they have completed 10 years of service however with monetary effect from the date when their services got regularized.

4. In the instant case, the petitioner claims to have joined in service on 15.03.1982 and he had completed 10 years of services as on 14.03.1992. The petitioner retired from service on 13.04.2000 itself. Even as per G.O.Ms.No.68, School Education (R1) Department, dated



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18.04.2013, the monetary benefit can be given to the workers only from the day on which the order of regularization has been passed and regularization of part time employees can be considered only pursuant to G.O.Ms.No.68, School Education (R1) Department, dated 18.04.2013. As on the said date, the petitioner was not in service and even if his services are regularized, the petitioner is not entitled to get any monetary benefit as on the date when the regularization order might be issued. Just because the petitioner had already retired from service, any other order passed in terms of regularization will not earn him any other monetary benefit as claimed by the petitioner. Hence, I find no merit in this petition.

5. In view of the reasons stated above, this Writ Petition is dismissed. No costs.

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Index: Yes / No
Speaking order / Non-speaking order
bkn



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To:

WEB COPY

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R.N.MANJULA ,J.

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