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W.P.No.262 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.262 of 2023

K.Krishnamoorthy

.. Petitioner

VS

1.The Joint Director of School Education (P),
Office of Commission of School Education,
DPI Complex College Road,
Nungambakkam, Chennai-600 006.

2.The Director
Directorate Matriculation School Education
DPI Complex, College Road, Nungambakkam,
Chennai-600 006.

3.The District Education Officer
Edappadi Main Road,
Government Girls Higher Secondary School Campus,
Sankari,Salem-637 301.

4.The Principal Accountant General (A and E)
Government of Tamil Nadu
361 Anna Salai, Teynampet,
Chennai-600 018.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the 1st respondent to
consider the petitioners representation 23-08-2021 in the light of



W.P.No.262 of 2023

G.O.Ms. No.89 dated 28-07-2020 of Personnel and Administrative Reforms (P) Department and the proceedings of the 2nd respondent Na. Ka. No. 3487 / A1 / 2021-2 dated 08-02-2022 and regularize the petitioners service from the date of the petitioners initial appointment in the judicial department i.e. 10-01-1993 and afford all other service benefits consequent upon the regularization.

For Petitioner	:	Mr.S.Patrick
For Respondents	:	Ms.P.Vijaya Devi Government Advocate for R1 to R3 Mr.V.Vijay shankar Standing Counsel for R4

ORDER

1. The petitioner seeks for regularization of his service as per G.O.Ms. No.89 Personnel and Administrative Reforms (P) Department dated 28-07-2020. The petitioner was appointed in the Judicial Department on 10.01.1993. According to him, as per G.O.Ms.No.89, referred to supra, he is entitled for regularization of service from 10.01.1993 but instead he was regularized only from 10.02.1997.



W.P.No.262 of 2023

WEB COPY

2. The petitioner also contends that similarly placed persons were regularized into service from the date of their initial appointment and, therefore, he must also be given the very same benefit. The petitioner has given representations to the respondents requesting them to regularize his service with effect from the date of his initial appointment i.e. 10.01.1993, last such representation was given on 23.08.2021. Since the representation has not been considered by the respondents, the petitioner has filed this writ petition.

3. Heard Mr.S.Patrick, learned counsel for the petitioner and Ms.P.Vijaya Devi, learned Government Advocate accepts notice on behalf of respondent nos. 1 to 3 and Mr.V.Vijay Shankar, learned standing counsel accepts notice on behalf the fourth respondent.

4. The petitioner has filed G.O.Ms. No.89 of Personnel and Administrative Reforms (P) Department dated 28-07-2020 along with this writ petition. He claims that as per the said G.O., he is entitled to be regularized from the date of his initial appointment in the Judicial Department i.e., 10.01.1993.



W.P.No.262 of 2023

WEB COPY

5. No prejudice would be caused to the respondents if the petitioner's representation dated 23.08.2021 seeking for regularization of service with effect from the date of his initial appointment i.e., 10.01.1993 is considered on merits and in accordance with law within a time frame to be fixed by this Court. The petitioner has already retired from service.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 23.08.2021 seeking for regularization into service with effect from 10.01.1993 i.e., the date of his initial appointment, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

06.01.2023

Index:Yes/No
Neutral Citation:Yes/No

4 / 6



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ABDUL QUDDHOSE,J.

ssm

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