



W.P.No.9095 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

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

Writ Petition No.9095 of 2013
and M.P.No.2 of 2013

K.R.Narayanan

... Petitioner

Vs.

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

2.The Director of School Education,
College Road,
Chennai – 6.

3.The District Education Officer,
Kanchipuram District,
Kanchipuram.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records on the file of the first respondent in connection with the order passed by the first respondent in G.O.(3D) No.33, School Education (R1) Department dated 20.03.2012 and quash the same to the extent of regularizing the service with monetary benefit from the date of the Government order in G.O.(3D) No.33,



W.P.No.9095 of 2013

School Education (R1) Department dated 20.03.2012 instead of regularizing the service of the petitioner from the date of completion of 10 years i.e., 13.12.1991 with monetary benefit and direct the respondents to regularizing the service of the petitioner with effect from the date of completion of 10 years with all monetary benefits i.e., 13.12.1991 in the light of G.O.Ms.No.247 Education (R1) Department dated 03.10.2012.

For Petitioner : Mr.R.Singaravelan,
Senior Counsel
for M.Srividhya

For Respondents : Mr.T.M.Rajangam,
Government Advocate

ORDER

The petitioner has filed this writ petition to call for the records on the file of the first respondent in connection with the order passed by the first respondent in G.O.(3D) No.33, School Education (R1) Department dated 20.03.2012 and quash the same to the extent of regularizing the service with monetary benefit from the date of the Government order in G.O.(3D) No.33, School Education (R1) Department dated 20.03.2012 instead of regularizing the service of the petitioner from the date of completion of 10 years i.e., 13.12.1991 with monetary benefit and direct the respondents to regularizing the service of the petitioner with effect from the date of completion of 10



W.P.No.9095 of 2013

years with all monetary benefits i.e., 13.12.1991 in the light of G.O.Ms.No.247 Education (R1) Department dated 03.10.2012.

2. Learned senior counsel for the petitioner submitted that the petitioner was selected for appointment to the post of part time Watchmen and joined service on 14.12.1981. Subsequently, the Government have passed an order in G.O.(3D) No.33, School Education (R1) Department, dated 20.03.2012 regularizing the service of the petitioner with effect from the date of completion of 10 years without any monetary benefits but with continuity of service and monetary benefits only from the date of the Government order i.e., 20.03.2012.

3. Learned senior counsel for the petitioner would further submit that the monetary benefits should be given to the petitioner from the date of completion of 10 years of service i.e., on 13.12.1991 which was given to all other 614 similarly situated persons by an order passed by the Government in G.O.(Ms) No.247, dated 03.10.2012. Moreover, the regularization of the petitioner's service in the light of G.O.Ms.No.22, dated 28.02.2006 is not due to the fault of the petitioner but it is due to the delay on the part of the



W.P.No.9095 of 2013

respondents.

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4. Learned senior counsel for the petitioner would further submit that the petitioner has also given a representation dated 24.01.2013 to the first respondent to consider and regularize his service with effect from the date of completion of 10 years i.e., 13.12.1991 with all monetary and service benefits in the light of G.O.Ms.No.247, Education (R1) Department, dated 03.10.2012. However, till date no order has been passed. Hence, the petitioner has come forward with the present writ petition.

5. Learned senior counsel for the petitioner would further submit that though very many grounds have been raised in this writ petition, it would suffice, if this Court issues direction to the first respondent to consider the petitioner's representation dated 24.01.2013 and pass appropriate orders on merits and in accordance with law within a particular time frame to be fixed by this Court.

6. Learned Government Advocate appearing for the respondents has no



W.P.No.9095 of 2013

objection for the said order being passed by this Court.

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7. Heard the learned counsel on either side and perused the materials available on record.

8. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 24.01.2013 in the light of G.O.Ms.No.247, Education (R1) Department, dated 03.10.2012 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

9. This writ petition is disposed of with the aforesaid observation and direction. No costs. Consequently, connected miscellaneous petition is also closed.

18.03.2024

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Page No.5 of 7



W.P.No.9095 of 2013

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

J.SATHYA NARAYANA PRASAD,J.

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To:

- 1.The Secretary to Government Education Department,
Secretariat,
Chennai – 9.
- 2.The Director of School Education,
College Road,
Chennai – 6.

Page No.6 of 7



W.P.No.9095 of 2013

3.The District Education Officer,
Kanchipuram District,
Kanchipuram.

WEB COPY

W.P.No.9095 of 2013

18.03.2024