



WEB COPY



WP.No.10434 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.03.2024

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.10434 of 2021

R.Ethiraj

...

Petitioner

/vs/

1. The Government of Tamilnadu
Represented by its Secretary,
Education, Science and Technology,
(H.S.II) Department, Madras-9.
2. The Director of School Education,
College Road, Madras-6.
3. The Joint Director of School Education,
Vocational Education, Madras-6.
4. The Chief Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.
5. The Head Master,
Government Girls Higher Secondary School,
Thiruvannamalai District. ...

Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the respondents to



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absorb the Petitioner as full time Vocational Instructor Grade II as per seniority and to pay the time scale in accordance with G.O.Ms.No.35, dated 09.02.2007.

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For Petitioner : M/S.M.Jherohlin
For Respondents : Mr.P.Gurunathan, AGP

ORDER

Heard M/S.M.Jherohlin, learned counsel for the petitioner and Mr.P.Gurunathan, learned Additional Government Pleader for the respondents and perused the materials available on record.

2. The Writ Petition has been filed for seeking a Writ of Mandamus to direct the respondents to absorb the Petitioner as full time Vocational Instructor Grade II as per seniority and to pay the time scale in accordance with G.O.Ms.No.35, dated 09.02.2007.

3. The petitioner has been appointed as a Vocational Instructor in the 4th respondent school on consolidated payment basis by Parent Teacher Association in the year 2006. The government had issued a government order in G.O.Ms.35, School Education (VE) Department dated 09.02.2007 for absorbing the Vocational Instructor appointed during 2000-2007 by Parent Teacher's



Association. In the year 2010 itself the respondents 2 and 3 had called the Vocational Instructors to appear for certificate verification. The petitioner had also participated in the same and even thereafter the petitioner's appointment has not been regularised. Hence he filed this writ petition seeking to regularise his services.

4. A Similarly placed person has already filed a writ petition in WP.No.11668/2013 under which the respondents were directed to pass orders regularising the petitioner's services as Vocational Instructor as provided under G.O.Ms.35, School Education (VE) Department dated 09.02.2007 and grant all attendant benefits. The same was challenged by the government by way of preferring an appeal in W.A.No.165/2019 and the same was also dismissed. In view of the same, the petitioner is eligible to get time scale of pay from 09.02.2007, that is from the date of issuance of G.O.Ms.No.35.

In the result, this Writ Petition is **disposed**. The respondents are directed to pass orders regularizing the services of the petitioner as Vocational Instructor as provided under G.O.Ms.35, School Education (VE) Department dated



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09.02.2007 and grant all attendant benefits and the said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes /No
Internet : Yes/No
Speaking: Non-Speaking
Neutral: Yes/No

jrs



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To

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R.N.MANJULA, J

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