



W.P.Nos.25992 of 2021 & batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.Nos.25992, 25993, 25996, 25997, 26001,
26004, 26007, 26009, 26010 & 26014 of 2021

W.P.No.25992 of 2021

P.Mari

... 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,
Dharmapuri – District.
4. The District Educational Officer,
Dharmapuri – District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.09.2021 to regularize the petitioner's



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service from the date of her initial appointment on 01.08.1981, in the light of G.O.Ms.No.123 School Education Department dated 17.08.2011 and consequently direct the respondents to pay monetary and service benefits with all consequential benefits and arrears of pay.

For Petitioner ... M/s.Esairani Narasimman
(in all W.Ps.)

For Respondents ... Mrs.S.Mythreya Chandru
(in both W.Ps.) Special Govt. Pleader

COMMON ORDER

These Writ Petitions have been filed seeking direction to the respondents to consider the petitioners' representation dated 25.09.2021 and calculate the petitioners' service from the date of their initial appointment for the purpose of pensionary and other terminal benefits.

2. Heard M/s.S.Esairani Narasimman, learned counsel for the petitioners and Mrs.S.Mythreya Chandru, learned Special Government Pleader appearing for the Respondents.

3. The petitioners were originally appointed as Sweepers through employment exchange. In pursuant to G.O.Ms.No.111, School Education R1 Department, dated 09.05.2012, an order has been issued to regularise



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the service of the petitioners and similar others on their completion of 10 years of service. However, the above G.O has been issued in pursuant to the orders of this Court in W.P.No.27607 of 2010, dated 23.12.2010.

4. The case of these petitioners is similar to the dispute arose in a batch of Writ Petitions in W.P.Nos.25472 of 2021 etc. In the said Writ Petitions, this Court has passed the following order:

"4. There is no quarrel on the facts that the petitioners have completed 10 years of service and vide proceedings dated 20.06.2012, they were regularised in service. However, the claim of the petitioners is that the petitioners' past service from the date of their appointment, should also be taken into account for the purpose of pension and other terminal benefits. Hence, the petitioners made representation on 25.09.2021 and so far no orders have been passed.

5. Mr.P.Gurunathan, the learned Additional Government Pleader appearing for the Respondents submitted that the petitioners have been regularised subsequent to 01.04.2003 and hence, their past services cannot be taken into account.



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6. However, the petitioners have joined service as early as during the years 1971 – 1993. Hence, the respondents are directed to consider the representation of the petitioners dated 25.09.2021 regarding their past service from the date of their initial appointment and pass orders on merits and in accordance with law within four weeks from the date of receipt of a copy of this order.

7. With the above direction, these Writ petitions are disposed of. No costs."

5. The matter in issue is also similar to the earlier Writ Petitions filed in W.P.Nos.25472 of 2021 etc. batch, in which the above order has been passed. Since the petitioners are also similarly placed, their cases can also have the similar line for consideration. Hence, these petitioners are also entitled to the same relief as granted in the above order.

6. In the result, these Writ Petitions are disposed and the respondents are directed to consider the representation of the petitioners dated 25.09.2021 and pass orders on merits and in accordance with law within a



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period of four weeks from the date of receipt of a copy of this order. No

costs.

04.03.2024

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

gsk

To:

1. The Secretary to Government,
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R.N.MANJULA ,J.

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