



W.P.No.27483/2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.27483 of 2021

P.Thamaraiselvi

... 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,
Thiruvannamalai – District.

4. The District Educational Officer,
Thiruvannamalai – District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 25.09.2021 to regularize the petitioner's



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husband's service from the date of his initial appointment on 15.10.1980, 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

For Respondents ... Mr.P.Gurunathan
Additional Govt. Pleader

COMMON ORDER

The petitioner who is the wife of one Palani whose services have been regularised in pursuant to the proceedings, dated 20.06.2012 in Na.Ka.No.149/A1/2006 had filed this Writ Petition, seeking direction to the respondents to consider her representation dated 25.09.2021 and calculate her husband's service from the date of his initial appointment for the purpose of pensionary and other terminal benefits.

2. Heard M/s.S.Esairani Narasimman, learned counsel for the petitioner and Mr.P.Gurunathan, learned Additional Government Pleader appearing for the Respondents.

3. The petitioner's husband was originally appointed as Sweeper



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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 the service of the petitioner's husband and similar others on his 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. There is no quarrel on the facts that the petitioner's husband have completed 10 years of service and vide proceedings dated 20.06.2012, he was regularised in service. However, the claim of the petitioner is that her husband's past service from the date of his appointment, should also be taken into account for the purpose of pension and other terminal benefits. Hence, the petitioner 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 petitioner's husband has been regularised subsequent to 01.04.2003 and hence, his past services cannot be taken into account.



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6. However, the petitioner's husband has joined in service as early as on 15.10.1980. Hence, the respondents are directed to consider the representation of the petitioner dated 25.09.2021 regarding the past service of her husband from the date of his 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.

21.02.2024

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
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To:

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R.N.MANJULA ,J.

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