



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29240 of 2024

J.Joyce Helen

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 009.

2.The Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.

3.The Joint Director of School Education (Vocational)
DPI Complex, College Road,
Chennai – 600 006.

4.The Chief Educational Officer,
Chennai – 8.

5.The Correspondent,
W.P.A. Soundarapandian Higher Secondary School,
No.76, NMK Street, Ayanpuram,
Madras – 600 023.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for



issuance of a Writ of Mandamus, directing the 3rd respondent to regularize the service of the petitioner from 16/10/1992 (the date on which the acquired the qualification) based on the proposal forwarded by the 4th respondent in his proceedings Na.Ka.No.2954/A2/2018 Dated 25/06/2018 as per G.O.Ms.No.967 School Education Department dated 16/10/1992 with all other service and consequential benefits.

For Petitioner : Mr.R.S.Anandan

For Respondents : Mr.S.Prabhakaran
Government Advocate
for R1 to R4

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 3rd respondent to regularize the service of the petitioner from 16.10.1992 based on the proposal forwarded by the 4th respondent dated 25.06.2018 in line with the G.O.Ms.No.967, dated 16.10.1992.

2.Heard Mr.R.S.Anandan, learned counsel appearing on behalf of the petitioner and Mr.S.Prabhakaran, learned Government Advocate appearing on behalf of respondents 1 to 4.

3.The case of the petitioner is that she was initially appointed as a



Vocational Instructor by the proceedings of the 5th respondent dated 10.06.1988.

Thereafter, appointment of the petitioner was approved by proceedings dated 26.12.1988. The petitioner was upgraded to the post of Vocational Instructor and later as Vocational Instructor Grade-I and the same was also regularized with monetary benefits effective from 08.07.2004.

4.The grievance of the petitioner is that as per G.O.Ms.No.967 dated 16.10.1992, her services ought to have been regularized w.e.f. 16.10.1992 and whereas, it was regularized only from 05.10.1996. The list that was prepared by the Government sanctioning 88 posts did not contain the name of the petitioner and according the petitioner, her name should have been included in S.No.54.

5.The petitioner made representation in the year 2018 to the 4th respondent and the 4th respondent on considering the same forwarded the proposal to the 3rd respondent through proceedings dated 25.06.2018. Since the same was not considered by the 3rd respondent, the present writ petition has been filed before this Court.



WEB COPY

6. Taking into consideration the facts and circumstances of the case and the materials placed before this Court and the proposal that was placed by the 4th respondent through proceedings dated 25.06.2018 before the 3rd respondent, there shall be a direction to the 3rd respondent to deal with the said proposal and the representation made by the petitioner on 28.05.2024 and take a decision, within a period of six weeks from the date of receipt of copy of this order.

7. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 4th respondent.

8. This writ petition is disposed of with the above directions. No Costs.

04.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To



1. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 009.
2. The Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.
3. The Joint Director of School Education (Vocational)
DPI Complex, College Road,
Chennai – 600 006.
4. The Chief Educational Officer,
Chennai – 8.



WEB COPY



N. ANAND VENKATESH, J.

SSR

W.P.No.29240 of 2024

04.10.2024