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W.P.(MD) No.2803 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.2803 of 2019

Y.Alvin Moses Jayakumar

... Petitioner

-VS-

- 1.The Government of Tamil Nadu
rep.by the Secretary
School Education Department
Fort St.George, Chennai-600 009
- 2.The Director of School Education
D.P.I.Compound, Nungambakkam
College Road, Chennai-600 006
- 3.The Joint Director of School Education
(Vocational), D.P.I.Compound
Nungambakkam, College Road
Chennai-600 006
- 4.The District Education Officer
Thirumangalam
- 5.Madurai Nadar Uravinmurai's
Jayaraj Nadar Higher Secondary School
Nagamalai Pudukottai
Madurai-625 019

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to regularize the appointment of the petitioner from the date of appointment i.e. on 04.07.2001 with all monetary benefits, emoluments, seniority and service benefits attributable to the said post.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R4

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to regularize the appointment of the petitioner from the date of his appointment i.e. 04.07.2001 with all monetary benefits, emoluments, seniority and service benefits attributable to the said post.

2. A counter affidavit has been filed by the respondents 1 to 4.

3. Even though a positive direction is sought for in this writ petition, learned counsel for the petitioner, on instructions, would submit that



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it would suffice if the petitioner is allowed to give a fresh representation to the respondents for the relief sought for in this writ petition and a direction is issued to the respondents to consider the said representation on merits and in accordance with law, within a time frame to be fixed by this Court.

4. No prejudice will be caused, if the petitioner is allowed to give a fresh representation as stated supra and a direction is issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the fifth respondent seeking to regularize his appointment to the post of Vocational Instructor from the date of his appointment on 04.07.2001 with all monetary benefits, emoluments, seniority and service benefits attributable to the said post, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the fifth respondent shall forward the same to the fourth respondent within a period of two weeks thereafter. The respondents 1 to 4, after having a joint consultation, shall pass final orders on the petitioner's



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representation, on merits and in accordance with law, within a period of twelve weeks thereafter.

6. With the above directions, this writ petition is disposed of. No costs.

10.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Secretary,
School Education Department,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
D.P.I.Compound, Nungambakkam,
College Road, Chennai-600 006.
- 3.The Joint Director of School Education,
(Vocational), D.P.I.Compound,
Nungambakkam, College Road,
Chennai-600 006.
- 4.The District Education Officer,
Thirumangalam.



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ABDUL QUDDHOSE, J.

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