



W.P.(MD)No.6755 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM:

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)No.6755 of 2019

K.Kannan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to the Government,
Education Department,
Fort St.George,
Chennai – 600 009.

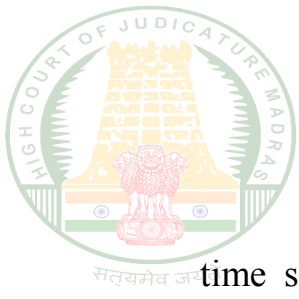
2. The Director of Elementary Education,
College Road,
Chennai.

3. The Chief Educational Officer,
Thoothukudi District,
Thoothukudi.

4. The District Educational Officer,
Thiruchendur,
ASA Government Boys Higher Secondary School Campus,
Thiruchendur

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents No.1 to 4 to regularize the service of the petitioner in the 5th respondent from the date of initial appointment with effect from 08.04.2004 under



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time scale pay with all consequential attendant, monetary benefits and salary arrears as per representation made by the petitioner dated 15.11.2018 forwarded by the 5th respondent dated 19.11.2018.

For Petitioner	: Mr.K.K.Kannan
For R1 to R4	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R5	: Mr.A.Kavin Kumar

ORDER

This writ petition has been filed for a Mandamus seeking to regularize the service of the petitioner based on the representation submitted by the petitioner dated 15.11.2018.

2. The case of the petitioner is that the petitioner was appointed as a B.T. Assistant (Maths) on 08.04.2004 in the 5th respondent school in a sanctioned post under a consolidated pay. The 5th respondent school is a private aided school. The Government of Tamil Nadu decided to grant time scale of pay to the teachers who were appointed under a consolidated pay of salary vide G.O.Ms.No.99 dated 27.06.2006 and G.O.Ms.No.120 dated 10.06.2006.



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3. By a proceedings dated 15.03.2007, the District Educational Officer, Thiruchendur had fixed the time scale and approved the appointment of the petitioner from 01.06.2006. Thereafter, he was treated afresh and appointed on the very same day i.e., on 01.06.2006. The petitioner upon completing his probation period of two years, he has been receiving the time scale of payment from the respondents without regularization of his service from the date of appointment. The petitioner has made a representation dated 15.11.2018, before the 5th respondent to regularize his service and the same was forwarded by the 5th respondent to the file of the 4th respondent on 19.11.2018. However, the 4th respondent has not taken any action on the representation submitted by the petitioner to date. Hence, the petitioner is constrained to file the present writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.



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5. In this writ petition, the petitioner has sought for a mandamus to direct the respondents 1 to 4 to consider his representation dated 15.11.2018, which was forwarded by the 5th respondent to the file of the 4th respondent on 19.11.2018.

6. Without going into the merits of the case, this Court is inclined to issue a direction to the 3rd respondent to consider the representation of the petitioner dated 15.11.2018, and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above observations, the writ petition stands disposed of.

No costs.

13.02.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

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M.JOTHIRAMAN, J.

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