



WEB COPY

WP No. 14814 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 14814 of 2022

M.Jayaraman

..Petitioner(s)

Vs

1. The Director of School Education
College Road,
Chennai- 600 006.
2. The Integrated District Education Officer,
Integrated District Education Office,
Tiruttani, Tiruvallur District.

..Respondent(s)

PRAYER : Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to forthwith appoint the Petitioner retrospectively as regular Gardener / Sweeper / Night Watchman from 13.01.1995 with all monetary and other attendant benefits so as to enable the Petitioner to derive benefits under Tamil Nadu Pension Rules 1978.

For Petitioner(s): Mr.N.Kolandaivelu

For Respondent(s): Mr.A.M.Ayyathurai,
Government Advocate



ORDER

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This Writ Petition has been filed seeking Writ of Mandamus to direct the respondents to appoint the petitioner retrospectively as as regular Gardener / Sweeper / Night Watchman from 13.01.1995 with all monetary and other attendant benefits.

2. The learned counsel for the petitioner would submit that the petitioner was initially appointed as part-time sweeper through employment exchange on 25.08.1994 in Government High School, Nochilli, on consolidated pay. He later joined in regular post as Night Watchman on 28.08.2004 in Government Higher Secondary School, VEDIYANKADU and later, promoted as Lab Assistant on 19.11.2014 in Government High School in Tiruvallur District. The petitioner is working as Lab Assistant when the Writ Petition came to be filed. Petitioner had since attained superannuation on 31.05.2025. Petitioner's grievance is primarily premised on the fact that along with the petitioner, there were several others who were appointed as part-time Gardener / Sweeper / Night Watchman. However, they have been regularised within a year from the date of appointment. But, the petitioner was not regularised until 28.08.2004, when he was appointed as Night Watchman in Government Higher Secondary School, VEDIYANKADU.



3. The learned counsel for the petitioner would further submit that regularisation was the subject matter of litigation wherein the matters had gone upto the Hon'ble Supreme Court. He would submit that Supreme Court had upheld the regularisation of other similarly placed employees who were initially appointed as part-time Gardener / Sweeper / Night Watchman. He would submit that parity of treatment ought to have been extended to the petitioner herein also. He would also place reliance on G.O.Ms.No.123 dated 17.08.2011 wherein reference has been made to the litigative history relating to the regularisation of similarly placed employees.

4. The learned counsel for the petitioner would only request that the petitioner's representation for regularisation with effect from 13.01.1995 may be considered keeping in view the treatment extended to similarly placed employees and also G.O.Ms.No.123 dated 17.08.2011 and the decisions which have material bearing on the above aspect.

5. The learned Government Advocate for the respondents would submit that the respondents would examine the petitioner's representation and pass appropriate orders.



6. In view of the above, this Writ Petition stands disposed of by directing the petitioner to submit additional representation, if any, within a period of two weeks from the date of receipt of a copy of this order, along with the relevant Government Order, decisions, if any. After receiving such representation, appropriate orders shall be passed by the respondents, after granting an opportunity of hearing to the petitioner, within a period of four weeks thereafter. It is made clear that this Court has not expressed anything on merits and all rights and contentions are left open. No costs.

02-04-2026

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

GSK



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MOHAMMED SHAFFIQ, J.

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