

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

W.P.No.1165 of 2015

and

M.P.No.1 of 2015

Christian High School,  
No.188, Perambur Barracks Road,  
Pattalam, Chennai - 600 012.  
Rep. by its Correspondent/Headmistress,  
G.R.Elizabeth Jebakumari

...Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep. by its Principal Secretary to Government,  
School Education Department,  
Secretariat, Fort St.George, Chennai - 600 009.

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

3.The Chief Educational Officer  
Panagal Building,  
Saidapet, Chennai - 600 015.

4.The District Educational Officer,  
Chennai North, Egmore, Chennai -8.

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to approve the appointment of Thiru.R.Ramesh Krishnan in the post of Junior Assistant in the petitioner school with effect from 01.08.2014 and to make the payment of salary and other service benefits from the date of appointment along with interest and other consequential and attendant benefits.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.M.S.Ramesh  
Additional Govt.Pleader

O R D E R

The petitioner appointed Thiru.R.Ramesh Krishnan as Junior Assistant on 01.08.2014. The appointment was made against a sanctioned post. The petitioner submitted proposal to the second

respondent for approval of appointment. The third respondent returned the proposal with remarks. The petitioner now seeks a direction to the respondents to consider the proposal and issue orders of approval.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the respondents.

3. The petitioner is placing reliance on a judgment of this Court dated 4 August 2008 in W.A.(MD)No.456 of 2008 and the subsequent orders dated 18.09.2008 in W.P.No.22816 of 2008 and 28.06.2012 in W.P.No.12045 of 2012 in support of its contention that under identical circumstances, this Court directed approval of appointment made against sanctioned post.

4. The petitioner is permitted to re-submit the proposal to the second respondent through proper channel, in case the same has not been re-presented so far.

5. The first respondent is directed to consider and dispose of the proposal on merits and in the light of the orders cited supra. Such exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

6. The Writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

Dated:26.3.15

True Copy

Sub Assistant Registrar

To

1.The Principal Secretary to Government,  
The State of Tamil Nadu,  
School Education Department,  
Secretariat, Fort St.George, Chennai - 600 009.

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

3.The Chief Educational Officer  
Panagal Building,  
Saidapet, Chennai - 600 015.

4.The District Educational Officer,  
Chennai North, Egmore, Chennai -8.

+1 cc to Mr.G.Sankar, Advocate,SR.14960

+1 cc to Government Pleader,SR.14788.

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krd 26/3

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