

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.13483 of 2015
&
M.P.No.1 of 2015

J.Ruban Pushparaj

[PETITIONER]

Vs

- 1 The State of Tamilnadu
Rep. by its Principal Secretary,
School Education Department
Fort St. George, Chennai-9.
- 2 The Director of School Education
DPI Campus, College Road, Chennai-6.
- 3 The District Education Officer
Thoothukudi.
- 4 The Correspondent
T.D.T.A. Ranji Aaron Memorial
Higher Secondary School,
Anandapuram,
Thoothukudi- 628 701.

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, to direct the respondents herein to pass orders on the petitioners proposal for approval in the post of Headmaster High School T.D.T.A. Ranji Aaron Memorial Higher Secondary School, Anandapuram, Thoothukudi District by accepting the reply from the 4th respondent to 3rd respondent dated 26.01.2015 and consequently direct the respondents to approve the appointment of the petitioner in the post of High School Headmaster with effect from 13.06.2014 forthwith.

For Petitioner : Mrs.Dakshayani Reddy

For Respondents : Mr.S.Gunasekaran
Govt. Advocate

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come forward with this Writ Petition for issuance of a writ of mandamus to direct the the respondents herein to pass orders on the petitioner's proposal for approval in the post of Headmaster High School T.D.T.A. Ranji Aaron Memorial Higher Secondary School, Anandapuram, Thoothukudi District by accepting the reply from the fourth respondent to the third respondent dated 26.01.2015 and consequently direct the respondents to approve the appointment of the petitioner in the post of High School Headmaster with effect from 13.06.2014 forthwith.

3.The petitioner who is a Special Grade P.G. Assistant in Economics, was transferred and appointed as Headmaster in the fourth respondent School on 13.06.2014, as per the order of the fourth respondent dated 09.06.2014. Though the said School is a Higher Secondary School, as the petitioner was teaching Economics, which is not the subject being taught in High School, his appointment was not approved and till date he is working without salary.

4.The learned counsel appearing for the petitioner submitted that with regard to one Selvin Josh and one Philip Augustin, who were working as PG Assistant (Commerce), their appointments were approved by the respondents.

5.The third respondent, Approving Authority has not approved the appointment of the petitioner on the ground that the petitioner is a P.G.Assistant (Economics) and Economics is not a subject taught at High School level.

6.It is the case of the petitioner that since in the case of Mr.Selvin Josh and Mr.Philip Augustine, who were P.G.Assistant (Commerce), the third respondent has approved their appointments as Headmaster in the fourth respondent School itself, now the third respondent cannot take a different stand by not approving the appointment of the petitioner. It is the further case of the petitioner that as per 'Samacheer Kalvi', Economics is also taught in the High School level and it is also a fact that the fourth respondent School is given grant only upto 10th standard. In these circumstances, the petitioner has filed this Writ Petition, for approval of his appointment as Headmaster of the fourth respondent school in the light of the aforesaid facts.

7. In view of the narrow prayer made, the third respondent is directed to pass appropriate orders on the representation submitted by the petitioner dated 26.01.2015, in the light of aforesaid facts, within a period of three weeks from the date of receipt of a copy of this order, as the petitioner is not paid salary for the past one year.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The State of Tamilnadu
Rep. by its Principal Secretary,
School Education Department
Fort St. George, Chennai-9.
- 2 The Director of School Education
DPI Campus, College Road, Chennai-6.
- 3 The District Education Officer
Thoothukudi.

1CC to Mr.K.Krishna Moorthy, Advocate SR 24165

1CC to Government Pleader, SR 24831

TEJ [CO]
PSI 11.05.2015

W.P.No. 13483 of 2015

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