

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2015

CORAM

THE HON'BLE Mr.JUSTICE M.M.SUNDRESH

W.P.No.40028 of 2002

Muslim Matharsha Elementary
School, Palayamkotoor,
Palayamkottai, Tirunelveli,
Through its Secretary A.Pathamuthu .. Petitioner

Vs.

1. The Director of Elementary Education,
College Road, Nungambakkam, Chennai-6.
2. The District Elementary Education Officer,
S.N.High Road, Tirunelveli.
3. The Assistant Elementary Education Officer,
(Rural), Palayamkottai, Tirunelveli. .. Respondents

Petition is filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records in Mu.Mu.No.2028.E.G.2/2000 dated 11.09.2001 and culminating further proceedings in Mu.Mu.No.13620/E.G.2/2002 dated 8.7.2002 on the file of the first respondent, quash the order dated 08.07.2002 and further direct the respondents to grant approval of the appointment of Smt.Jawarharunnissa as Head Mistress of the petitioner's school from 01.9.1993.

For Petitioner .. Mr.K.Srinivasan

For Respondents.. Mr.P.Sanjay Gandhi,
Additional Government Pleader
for R1 to R3

ORDER

Though the impugned order dated 08.07.2002 was passed on the ground that the appointment was made contrary to the rules and regulations, in the counter affidavit filed by the respondents in paragraph No.3 it has been stated as follows:

"3. It is submitted that Government in G.O.(2D) No.12 School Education (X2) Department dated 01.02.2011 has passed order allotting funds in the event of approval of appointment of Smt.Jawaharunnissa as Headmistress of the School from 01.09.1993 in the petitioner School. Hence, necessary action will be taken to approve the appointment of Smt.Jawaharunnissa from 01.09.1993. As such the Writ Petition may be dismissed."

2. In the light of the same, the writ petition stands disposed of by directing the petitioner to give representation to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the representation, the second respondent is directed to look into the same and pass appropriate orders within a period of eight weeks thereafter.
raa

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Director of Elementary Education,
College Road, Nungambakkam,
Chennai - 600 006.
2. The District Elementary Education Officer,
S.N.High Road, Tirunelveli.
3. The Assistant Elementary Education Officer,
(Rural), Palayamkottai, Tirunelveli.

+1 C.C. To Mr.J.Antony Jesus, Advocate in SR.NO.54644

+1 C.C. To The Government Pleader in SR.NO.55128

W.P.No.40028 of 2002

TS (CO)

sd : 16/10/2015