

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27930 of 2015
and M.P.Nos.1 and 2 of 2015

Mrs. T.Joyce Sugantha Rani

... Petitioner

Vs.

1. The Secretary to Government,
Education Department, Government of Tamil Nadu,
Fort St. George, Chennai - 600 009
2. The Director of Elementary Education,
College Road, Chennai - 600 006
3. The District Elementary Educational Officer,
Tirunelveli
4. The Assistant Elementary Educational Officer,
Alangulam Range, Alangulam, Tirunelveli
5. The Secretary, Hindu Middle School,
Mayamankurichi, Alangulam,
Tirunelveli District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to approve the petitioner's appointment as Secondary Grade Teacher in the fifth respondent School with effect from 12.06.2015 with all monetary benefits and other attendant benefits within a time frame, as may be fixed by this Court.

For Petitioner : Mr. R.Kamaraj

For Respondents : Mr. R.Vijayakumar, AGP., for R-1 to R-4

O R D E R

Admit. Mr.R.Vijayakumar, learned Additional Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that, one Mrs.Velammal was employed as Secondary Grade Teacher in the services of the fifth respondent / School and she retired on 30.06.2014; after getting appropriate permission, the names of the eligible candidates were obtained from the Employment Exchange as well as by publication in the newspaper for the said vacant post; selection was conducted and

the petitioner was selected from the open-market and she was also issued with an appointment order on 11.06.2015 by the fifth respondent; she was also joined the duty on 12.06.2015 and the fifth respondent has also forwarded a letter, seeking approval of her appointment, through proper channel, to the third respondent; since no response is forth-coming, the petitioner has come forward to file this writ petition.

3. The learned counsel for the petitioner would submit that the petitioner belongs to Backward Class Community and she has secured 88 marks out of 150 marks in Paper-I and 92 marks out of 150 marks in Paper - II, in the Tamil Nadu - Teachers Eligibility Test and also issued with the certificate to that effect and she has been fulfilled with all the criteria, including G.O.Ms.No.25, School Education (TET) Department, dated 06.02.2014 and hence, there cannot be any impediment on the part of the third respondent to approve her appointment and prays for appropriate orders.

4. This Court heard the submissions of the learned counsel for the petitioner as well as the learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. This Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, hereby directs the third respondent to act on the proposal sent by the fifth respondent, dated nil, with regard to the approval of the appointment of the petitioner and pass orders, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner as well as to the fifth respondent.

6. This writ petition is disposed of accordingly. No costs. Consequently, the connected MPs are closed.

Sd/-
Asst.Registrar (CO)

/true copy/ जयते

Sub Asst. Registrar

srk

To

1. The Secretary to Government,
Education Department, Government of Tamil Nadu,
Fort St. George, Chennai - 600 009
2. The Director of Elementary Education,
College Road, Chennai - 600 006
3. The District Elementary Educational Officer, Tirunelveli
4. The Assistant Elementary Educational Officer,
Alangulam Range, Alangulam, Tirunelveli

5. The Secretary, Hindu Middle School,
Mayamankurichi, Alangulam, Tirunelveli District

+1 cc to Mr.R.Kamaraj, Advocate, sr.47991
+1 cc to Govt.Pleader, sr.48280

W.P.No.27930 of 2015
& M.P.Nos.1 & 2 of 2015

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kra 15/09



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