

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.9.2015.

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30737 of 2015

N.Nandakumar

..Petitioner

vs.

- 1 The Secretary to Government  
School Education Department  
Fort St. George Chennai-9.
- 2 The Director of School Education  
DPI Complex College Road  
Chennai-6.
- 3 The Chief Educational Officer  
Virudhunagar Virudhunagar District.
- 4 The District Education Officer  
Virudhunagar Education District  
Virudhunagar
- 5 Kshatriya Vidhyasala Higher  
Secondary School  
Rep. by its Secretary B.Madanmohan  
Virudhunagar-626 001

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to approve the appointment of the petitioner in the post of Lab Assistant with effect from the date of initial appointment i.e. from 9.6.2015 based on the proposal submitted by the 5th respondent on 9.6.2015 in the light of the orders passed in Writ Appeal No.258 of 2009 etc. batch cases dated 12.07.2010 and Writ Appeal Nos.727 to 729 of 2011 dated 11.11.2011.

For Petitioner : Mr.K.H.Ravikumar

For Respondents : Mr.V.Subbiah,  
Special Govt. Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner was appointed as Lab Assistant in the fifth respondent School on 9.6.2015 and according to him, he has fulfilled the required qualification in terms of the provisions of Tamil Nadu Private Schools Regulation Act, 1973. The petitioner further stated that the fifth respondent has also forwarded the proposal to accommodate the petitioner in the in the abovesaid sanctioned post, to the fourth respondent and since no order has been passed, he has come forward to file the present writ petition.

3. Learned counsel appearing for the petitioner would submit that the issue is squarely covered by the judgments dated 30.10.2007, 04.08.2008 and 11.11.2011 made in W.P.(MD)No.484 of 2007, W.A.(MD) No.308 of 2008 and W.A.Nos.527 to 529 of 2011 respectively, there cannot be any impediment on the part of the official respondents to accommodate the petitioner in the said post and prays for appropriate orders.

4. The court heard the submissions of Mr.V.Subbiah, learned Special Government Pleader appearing on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, in the facts and circumstances of the case, without going into the merits, this court directs the fourth respondent to consider and dispose of the petitioner's representation dated 22.8.2015 on merits and in accordance law after taking into consideration the proposal dated 09.06.2015 sent by the fifth respondent, within a period of eight weeks from the date of receipt of copy of this order and communicate the decision to the writ petitioner.

6. The writ petition is disposed of accordingly. No costs.

ssk.

सत्यमेव जयते  
Sd/-

Assistant Registrar (CS-III)

WEB COPY  
/True Copy/

Sub-Assistant Registrar

To

- 1 The Secretary to Government  
School Education Department  
Fort St. George,  
Chennai - 600 009.
- 2 The Director of School Education  
DPI Complex College Road  
Chennai - 600 006.
- 3 The Chief Educational Officer  
Virudhunagar, Virudhunagar District.
- 4 The District Education Officer  
Virudhunagar Education District  
Virudhunagar

+1 C.C. To MR.K.H.Ravikumar, Advocate in SR.NO.53013

+1 C.C. To Government Pleader in SR.NO.53381

W.P.No.30737 of 2015

KGK(CO)

sd : 15/10/2015



WEB COPY