

THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30870/2015 & MP.No.1/2015

Mrs.C.Rekha

... Petitioner

Versus

1. The Secretary
Government of Tamil Nadu
Department of School Education,
Fort St George, Chennai 600 009.
2. The Joint Director of School Education,
DPI Campus, College Road, Chennai 600 006.
3. The Chief Educational Officer
The Office of the Chief Educational Officer
Chennai 600015.
4. The District Educational Officer
Chennai East, Chennai 600094.
5. The Correspondent
Mary clubwala Jadhav Girls'
Higher Secondary School,
No.30, Casa Major Road, Egmore
Chennai 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents particularly the 4th and 5th respondent to approve the post and release grant in aid and pay the monthly salary regularly to the petitioner from 21.01.2013 as per the appointment order dated 21.01.2013.

For Petitioner : Mr.C.Johnson

For RR 1 to 4 : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

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

2. The petitioner belongs to Hindu Scheduled Caste Arundadiyar Community and after passing Diploma in Teacher Education [D.T.Ed.], she applied for the post of Secondary Grade Teacher in the services of the 5th respondent and through selection process, she was appointed on 21.01.2013 and since the date of joining, the petitioner has been discharging her duties to the best of her ability and to the satisfaction of the competent authorities. It is the claim of the petitioner that since her appointment was given in the retirement vacancy caused due to the voluntary retirement of Tmt. Nirmala, a Secondary Grade Teacher and further that, it is a regular permanent vacancy, her services should have been approved by the 4th respondent and whereas, it has not been done so. At present, she has been paid with meager allowance for want of approval by the competent authorities. In this regard, she has submitted a representation to the 5th respondent/School, who in turn, has forwarded necessary proposal to the 4th respondent dated 17.06.2013 and since no orders have been passed, the petitioner came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 4th respondent to act on the proposal of the 5th respondent/School dated 17.06.2013 and pass orders on merits and 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 petitioner.

5. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

AP

To

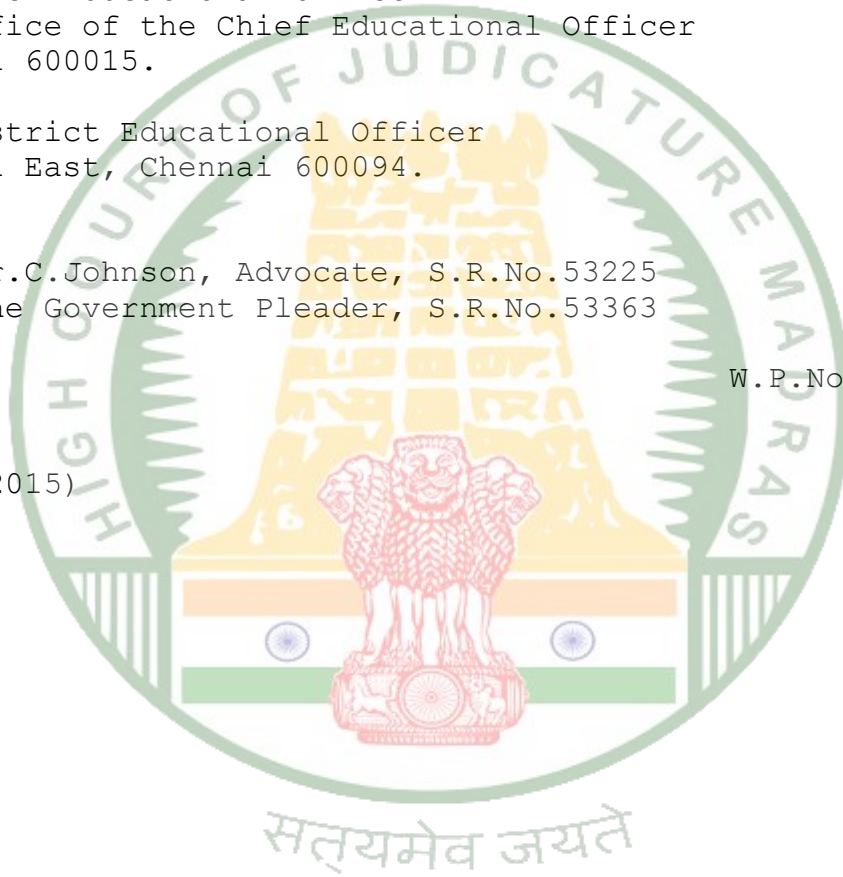
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+1cc to Mr.C.Johnson, Advocate, S.R.No.53225

+1cc to the Government Pleader, S.R.No.53363

W.P.No.30870 of 2015

GGK(CO)
CA(13/10/2015)



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