

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.24963 of 2016
and W.M.P.No.21331 of 2016

Ubaibas Primary School,
Rep. by its Correspondent,
No.105/104, Krishnagiri Road,
Tirupattur,
Vellore District.

... Petitioner

Vs.

1. The District Elementary Education Officer,
Vellore Fort,
Vellore, Vellore District.
2. The Assistant Elementary Education Officer,
Tirupattur, Vellore District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the 1st respondent to approve the appointment of Mr.S.Mohamed Siddiq, appointed as Secondary Grade Teacher in the petitioner with effect from 17.08.2015 as recommended by the 2nd respondent.

For Petitioner	:	M/s.Zaffarullah Khan
For Respondents	:	Mrs.M.E.Rani Selvam, Additional Govt. Pleader

ORDER

By consent, the writ petition is taken up and disposed of at the admission stage itself.

2. The petitioner school sent necessary proposals for the approval of appointment of Mr.S.Mohamed Siddiq, who has been appointed as the Secondary Grade Teacher, to the second respondent Assistant Elementary Education Officer, Tirupattur. Though the second respondent Assistant Elementary Education Officer has recommended and also forwarded the same to the first respondent, the first respondent has not considered the same. Hence, the petitioner school made a representation dated 20.05.2016 to the first respondent. Till date, there is no response from the first respondent. Therefore, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel for the petitioner would submit that the petitioner would be satisfied, if the first respondent is directed to consider its representation and pass appropriate orders, on merits and in accordance with law.

5. The learned Additional Government Pleader appearing for the respondents submits that the first respondent would consider the representation of the petitioner.

6. Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the 1st respondent, to consider the representation of the petitioner, dated 20.05.2016, and pass appropriate orders, on merits and in accordance with law and in the light of the recommendation made by the 2nd respondent, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The District Elementary Education Officer,
Vellore Fort,
Vellore, Vellore District.

2. The Assistant Elementary Education Officer,
Tirupattur, Vellore District.

+ 1 cc to Mr.Zaffarullah Khan, Advocate SR 40482

+ 1 cc to Govt.Pleader SR 40852

gj (co)
prk4/8

W.P.No.24963 of 2016