

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.29233 of 2016

Jothivallalar Aided Middle School,
Jothi Nagar, Arakkonam - 631 003.

Represented by its Manager,
Thiru.K.S.Arumugam

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Education Department,
Fort St.George, Chennai - 600 009.

2. The District Elementary Educational Officer,
Vellore District, Vellore Fort, Vellore.

3. The Additional Assistant Elementary
Educational Officer,
Arakkonam, Vellore District.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to pass orders on the petitioner's proposal dated 14.11.2015 and resubmitted on 11.04.2016 seeking for the approval of the Headmaster appointed by promotion.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.K.V.Dhanapal
Additional Government Pleader

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O R D E R

By consent, the Writ Petition is taken up and disposed of at the stage of admission itself.

2.This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents 2 and 3 to pass orders on the petitioner's proposal dated 14.11.2015 and resubmitted on

11.04.2016 seeking for the approval of the Headmaster appointed by promotion.

3.The petitioner's School is a recognized Aided Middle School having Standards I to VIII for more than 50 years and has a strength of 242 students and sanctioned strength of 9 teaching staffs. While so, the superannuation of erstwhile Headmaster, the post of Principal in the petitioner's School is vacant. Hence, the School committee after due verification by an resolution dated 28.09.2015 promoted one T.Sundaramoorthy, B.T.Assistant [Science] as Headmaster with effect from 01.10.2015 and consequently forwarded the resolution to the second respondent for necessary approval on 14.11.2015 through proper channel to the third respondent seeking for the approval for the appointment of Headmaster. However, the third respondent returned the same to rectify certain queries. On 11.04.2016, the petitioner resubmitted the proposal but till date no orders have been passed and hence, the Writ Petition has been filed.

4.Mr.G.Jeremiah, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if his proposal is directed to be considered and appropriate orders are passed as expeditiously as possible.

5.Mr.K.V.Dhanapal, learned Additional Government Pleader for the respondents has got no serious objection for directing the respondents to consider the proposal of the petitioner and pass appropriate orders, on merits and in accordance with law.

6.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents, to consider the proposal of the petitioner, dated 11.04.2016, and pass appropriate orders, on merits and in accordance with law within a period of two 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.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sri

To

1. The Secretary to Government,
State of Tamilnadu,
Education Department,
Fort St.George, Chennai - 600 009.
2. The District Elementary Educational Officer,
Vellore District, Vellore Fort,
Vellore.
3. The Additional Assistant Elementary
Educational Officer,
Arakkonam, Vellore District.

+lcc to Mr.G.Jeremiah, Advocate, S.R.No.47930

W.P. No.29233 of 2016

RK(CO)
CA(14/09/2016)



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