



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.12528 of 2016

and

W.M.P. (MD) .No.9470 of 2016

B.Vasanthi

.. Petitioner

Vs.

- 1.The Government of Tamilnadu,
rep. by its Principal Secretary,
Department of School Education,
Fort St.George, Chennai.
- 2.The Director of Elementary Education,
D.P.I. Campus, College Road,
Nungambakkam, Chennai.
- 3.The District Elementary Educational Officer,
Trichy District, Trichy.
- 4.The Assistant Elementary Educational Officer,
Anthanalloor Union at Mutharasanallur,
Srirangam Taluk,
Trichy District.
- 5.Bharathi Elementary School,
rep. by its Correspondent and Secretary,
Allur, Srirangam Taluk,
Trichy District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, to direct the respondents 3 and 4 to approve the petitioner's appointment as Secondary Grade Teacher in the 5th respondent school with effect from 01.06.2015.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.T.S.Mohamed Mohideen

Additional Government Pleader

**O R D E R**

It is the case of the petitioner that in the fifth respondent school, which is an aided non-minority School, due to the voluntary retirement of one Mary Sornageetham on 31.12.2014, a vacancy arose against the post of Secondary Grade Teacher and the petitioner, who has eligible qualifications and also secured 85 marks in Teachers' Eligibility Test (TET) conducted in the year 2013 and declared as a pass candidate, belonging to Scheduled Caste Arunthathiyar Community, was appointed to the said post. Thereafter, by letter dated 05.06.2015, the fifth respondent sent a proposal for approval of the petitioner's appointment, which was forwarded by the fourth respondent to the third respondent, by proceedings dated 12.06.2015, but, till date, no further development has taken place, therefore, she has come to this court.

2. Heard Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, who takes notice for respondents 1 to 4.

3. From the materials available, it is seen that the petitioner, who belongs to Scheduled Caste community (Arunthathiyar) and possesses the requisite qualifications including a pass in the Teachers' Eligibility Test (TET) with 85 marks, was appointed by the fifth respondent School against a sanctioned post of Secondary Grade Teacher that arose due to voluntary retirement of one Mary Sornageetham. In as much as already the proposal made by the School for approval was forwarded vide proceedings, dated 12.06.2015, of the fourth respondent to the third respondent, this Court deems it fit to direct the third respondent/District Elementary Education Officer, Trichy, to consider the proposal of the School and pass appropriate orders, thereon, within a period of four weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No Costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar



To

1.The Principal Secretary,
Department of School Education,
Fort St.George, Chennai.

2.The Director of Elementary Education,
D.P.I. Campus, College Road,
Nungambakkam, Chennai.

3.The District Elementary Educational Officer,
Trichy District, Trichy.

4.The Assistant Elementary Educational Officer,
Anthanalloor Union at Mutharasanallur,
Srirangam Taluk,
Trichy District.

5.The Correspondent and Secretary,
Bharathi Elementary School,
Allur, Srirangam Taluk,
Trichy District.

+ 1 CC TO MR.R.SUBRAMANIAN, ADVOCATE IN SR No. 37488

PJL

TE/PV : 09/09/2016 : 3P/7C

W.P (MD) No.12528 of 2016
and

W.M.P. (MD) .No.9470 of 2016
18.07.2016