



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

Writ Petition (MD) No.14174 of 2016

and

W.M.P(MD)No.10526 of 2016

S.Anitha Mary

... Petitioner

Vs.

1.The District Elementary Educational Officer,
Ramanathapuram.

2.The Additional Assistant Elementary Educational Officer,
Kadaladi Union, Ramanathapuram District.

3.T.E.L.C Primary School,
Rep by its Correspondent,
Mettupatti, Kamuthi Taluk,
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to directing the 1st respondent to consider the proposals for approval of the appointment of the petitioner as Secondary Grade Teacher in the 3rd respondent school as recommended by the 2nd respondent vide proceedings dt.12.07.2016 in Na.Ka.No.377/A1/2016 and approve the same with effect from the date of the appointment i.e. 05.08.2015 with all consequential monetary benefits.

For Petitioner : Mr.S.Manikandan

For Respondents 1&2 : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

ORDER

S.Anitha Mary, who was appointed as Secondary Grade Teacher, in the sanctioned post, as per the staff fixation order with effect from 05.08.2015 by the Correspondent of T.E.L.C Primary School, Mettupatti, Kamuthi Taluk, the third respondent herein, has come to this Court seeking for the issuance of a writ of mandamus, to direct the first respondent to consider the proposals sent by the Additional Assistant Elementary Educational Officer, Kadaladi Union, Ramanathapuram District, the second respondent herein, vide proceedings in Na.Ka.No.377/A1/2016, dated 12.07.2016.

<https://hcservices.ecourts.gov.in/CaseDetails.aspx?CaseNo=14174> The third respondent is an aided minority school, wherein, the petitioner, who passed the Teacher Eligibility Test conducted by the Teachers Recruitment Board by securing 85 marks,



was appointed against a sanctioned post. Subsequently, the second respondent has also sent a proposal, accepting the request of the third respondent to grant approval for the petitioner's appointment.

3. Learned Additional Government Pleader appearing for the respondents 1 and 2 submits that the second respondent has recommended the proposal sent by the third respondent to the first respondent only on 12.07.2016 and therefore, the petitioner cannot complain delay on the part of the respondents. He would state that, if sufficient time is granted, the authority concerned shall pass necessary orders on the proposal.

4. In view of the said submission, the writ petition is disposed of with a direction to the first respondent to consider the proposal sent by the second respondent vide proceedings dated 12.07.2016, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, W.M.P (MD) No.10526 of 2016 is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Elementary Educational Officer,
Ramanathapuram.
2. The Additional Assistant Elementary Educational Officer,
Kadaladi Union, Ramanathapuram District.

+1cc to M/S.S.MANIKANDAN, ADVOCATE SR NO: 43126

sms
JA-DB-07.09.2016/2P:4C

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