



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14925 of 2016

and

W.M.P (MD) No.11000 of 2016

R.P.Prabin

... Petitioner

Vs.

1.The Government of Tamil Nadu
rep. by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai - 600 009.

2.The Director of School Education,
D.P.I. Campus, College Road,
Nungambakkam, Chennai - 600 006.

3.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

4.The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

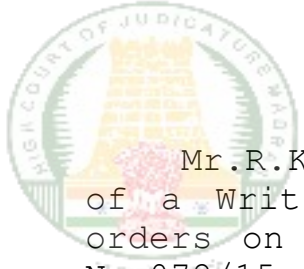
5.Higher Secondary School
Rep. by its Correspondent,
Jeya Sri Kumar,
Arumanai - 629 151.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the fourth respondent to pass orders on the proposal submitted by the 5th respondent in Letter No.072/15, dated 01.12.2015 seeking to approve the petitioner's appointment as P.G. Assistant (History) with effect from 01.12.2015 based on the proceedings of the 3rd respondent in Moo.Mu.No.9500/Aa2/2015, dated 18.12.2015, within a time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.Aairam K.Selvakumar G.A.,



Mr.R.K.Prabin, has come to this Court seeking for the issuance of a Writ of Mandamus directing the fourth respondent to pass orders on the proposal submitted by the 5th respondent in Letter No.072/15, dated 01.12.2015 seeking for his approval of his appointment as P.G. Assistant (History) with effect from 01.12.2015, based on the proceedings of the 3rd respondent in Moo.Mu.No.9500/Aa2/2015, dated 18.12.2015.

2. Mr.Aairam K.Selvakumar, learned Government Advocate takes notice for the respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner after passing B.A., (History), M.A (History) and B.Ed., stood qualified for appointment to the post of P.G. Assistant. While so, in a retirement vacancy caused due to the retirement of one J.Christobel Jayanthi, the fifth respondent-school appointed the petitioner as P.G Assistant. Subsequently, the fifth respondent school has sent proposal on 01.12.2015 to the 3rd and 4th respondents for approving his appointment with the staff fixation order and other relevant documents. On receipt of the same, the Chief Educational Officer, Nagercoil, also by his proceeding, dated 18.12.2015, has granted necessary permission and forwarded the proposal to the 4th respondent/District Educational Officer, Kuzhithurai at Marthanda, Kanyakumari District, for granting approval. When the proposal is even now pending, the petitioner is not able to get the salary. Therefore, the petitioner has come to this Court for the abovesaid relief.

4. Considering the fact that the petitioner was appointed in a sanctioned post as a P.G. Assistant in the fifth respondent-school and the Chief Educational Officer, Nagercoil has sent a proposal to the fourth respondent, District Educational Officer, Kuzhithurai at Marthandam, Kanyakumari District, this Court finds no impediment to direct the fourth respondent. Therefore, the fourth respondent is directed to consider the case of the petitioner on the basis of the proposal sent by the 5th respondent school, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

/True copy/



To

1.The Principal Secretary,
Department of School Education,
Fort St. George, Chennai - 600 009.

2.The Director of School Education,
D.P.I. Campus, College Road,
Nungambakkam, Chennai - 600 006.

3.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

4.The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

+1 CC to M/s.R.SUBRAMANIAN, Advocate, SR No.44864

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.44923

W.P. (MD) No.14925 of 2016
16.08.2016

skn

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