



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.15672 of 2016

B.S.Jalaja

... Petitioner

vs.

- 1) The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
College Road, Chennai - 600 006.
3. The Chief Educational Officer,
Kanyakumari District.
4. The District Educational Officer,
Kuzhithurai, Kanyakumari District.
5. The Correspondent,
Higher Secondary School,
Kalluppalam, Edaicode,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 4th respondent herein to consider and pass orders on the petitioner's representation dated 09.03.2016 together with the reminder thereto dated 26.07.2016, seeking approval to the appointment of the petitioner as to approve forthwith the appointment of petitioner as Post Graduate Assistant (History) from 01.04.2011 onwards in the 5th respondent-school with salary and other attendant benefits.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

ORDER

This Writ of Mandamus has been filed seeking a direction to the 4th respondent to consider the representation dated 09.03.2016, together with the reminder dated 26.07.2016, in which the petitioner sought for approval of appointment of petitioner as Post Graduate Assistant (History) from 01.04.2011, proposal in respect of the same has been submitted by the 5th respondent on 30.12.2011.



2.The petitioner was appointed as Office Assistant on 01.04.2011 in the 5th respondent school. The 5th respondent sent the proposal for his appointment to the 4th respondent on 30.12.2011. The same was returned by the 4th respondent on 09.02.2012 seeking certain documents. The same was resubmitted on 15.02.2012 along with required documents. But the same was not considered. In the meanwhile, the petitioner retired from service on 30.11.2015. Hence, the petitioner made a representation dated 09.03.2016 and a reminder dated 26.07.2016. Even then the proposal was not considered. Hence, the petitioner has come forward with this petition.

3.Learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that it is agreeable for the 4th respondent to consider the representation of the petitioner dated 09.03.2016 and to pass orders.

4.In the circumstances, the 4th respondent is directed to consider the representation of the petitioner dated 09.03.2016 and pass 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.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George,
Chennai - 600 009.
- 2.The Director of School Education,
College Road, Chennai - 600 006.
- 3.The Chief Educational Officer,
Kanyakumari District.
- 4.The District Educational Officer,
Kuzhithurai, Kanyakumari District.

+1cc to special Government Pleader SR.No.54463/16

+1cc to Mr.E.V.N.Siva, Advocate SR.No.54267

sj