



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.19815 of 2016

A.Joseph

: Petitioner

Vs.

1.The Chief Educational Officer,
O/o.the Chief Educational Officer,
Tuticorin District.

2.The District Educational Officer,
O/o.the District Educational Officer,
Tuticorin District.

3.The Correspondent,
St.Francis Xavier's Higher Secondary School,
Tuticorin - 628 001.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to regularize the services of the petitioner as B.T.Assistant in Mathematics from 11.06.2007 to 01.10.2009 by way of granting approval to the petitioner's appointment from the date of his appointment with effect from 11.06.2007 with all consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.A.Muthukaruppan,
1 and 2 Additional Government Pleader.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to regularize the services of the petitioner as B.T.Assistant in Mathematics from 11.06.2007 to 01.10.2009 by way of granting approval to the petitioner's appointment from the date of his appointment with effect from 11.06.2007 with all consequential benefits within the time period to be stipulated by this Court.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader, takes notice for the respondents 1 and 2. By consent, the writ petition itself is taken up for final disposal.



3.It is the case of the petitioner that the petitioner was appointed as B.T. Assistant in Mathematics in the third respondent school on 11.06.2007. But, his appointment was approved only on 01.10.2009 without any valid reasons. The second respondent has granted approval only from 01.10.2009 and that too belatedly. Questioning the same, the petitioner has sent several representations seeking approval from 11.06.2007. In tune with the representations, the third respondent school submitted proposal to the first respondent on 22.07.2016, which is pending consideration and that has driven the petitioner to file this writ petition.

4.The learned counsel for the petitioner would submit that though he was appointed as B.T.Assistant in Mathematics on 11.06.2007, the second respondent has granted approval only on 01.10.2009 and therefore he made several representations to the third respondent school, seeking to regularize the period of service by way of granting approval from the date of his appointment i.e., with effect from 11.06.2007 and approving the contents of the representation made by the petitioner, the third respondent submitted proposal dated 22.07.2016 to the first respondent and the same has not been considered so far.

5.The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that it is agreeable for the first respondent to consider the proposal dated 22.07.2016 and to take a decision within a period of two weeks.

6.Recording the submission made by the learned Additional Government Pleader appearing for the respondents 1 and 2, the Writ Petition is disposed of with a direction to the first respondent to consider the proposal submitted by the third respondent dated 22.07.2016 and pass orders on merits and in accordance with law, within a period of two weeks, from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Chief Educational Officer,

O/o.the Chief Educational Officer, Tuticorin District.

2.The District Educational Officer,

O/o.the District Educational Officer, Tuticorin District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate, SR No.62002

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.61407

ORDER MADE IN

W.P(MD)No.19815 of 2016

18.10.2016