

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.5869 of 2017 & W.M.P. No.6285 of 2017

D. Nancy Jeba Priya

Petitioner

vs.

- 1 The Director of School Education
College Road
Chennai 600 006
- 2 The Chief Educational Officer
Cuddalore District
Cuddalore 607 001
- 3 The District Educational Officer
Cuddalore District
Cuddalore 607 001
- 4 The Secretary
Arcot Lutheran Church
A.L.C. Central Office
No.9, A.L.C. Campus
Cuddalore 607 001
- 5 The Correspondent
Danish Mission Higher Secondary School
Nellikuppam 607 105
Cuddalore District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the third respondent to grant temporary approval of the appointment of the petitioner as Vocational Assistant (Sewing) in the fifth respondent school and also pay salary for the petitioner from the date of her appointment, i.e., from 01.02.2011 along with all attendant benefits.

For petitioner Mr. J. Selvarajan

For RR 1 to 3 Mr. V. Jayaprakash Narayanan
Special Government Pleader

ORDER

Mr. V. Jayaprakash Narayanan, learned Special Government Pleader, accepts notice for respondents 1 to 3.

2 This writ petition has been filed seeking a writ of mandamus directing the third respondent to grant temporary approval of the petitioner's appointment as Vocational Assistant (Sewing) in the fifth respondent school and also pay salary to her from the date of her appointment, i.e., from 01.02.2011, along with all attendant benefits.

3 At the threshold, it is pertinent to point out the petitioner has filed W.P. No.19766 of 2014, challenging the rejection of her request for grant of approval by order dated 24.09.2013 and the said writ petition is under consideration. When such is the factual position, the present writ petition which has been filed seeking a direction to grant approval of the petitioner's appointment, cannot be entertained. If the petitioner wants her salary to be paid, she should have moved an application in the pending writ petition and ought not to have filed the present writ petition seeking such relief, especially, when her request for grant of approval has already been rejected. In any event, the petitioner can work out her remedy in the pending writ petition, viz., W.P. No.19766 of 2014.

In the result, this writ petition stands dismissed with the above observation. Costs made easy. Connected W.M.P. is closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

To

- 1 The Director of School Education
College Road
Chennai 600 006
 - 2 The Chief Educational Officer
Cuddalore District
Cuddalore 607 001
 - 3 The District Educational Officer
Cuddalore District
Cuddalore 607 001
- +1 CC to Govt. Pleader sr 15284

W.P. No.5869 of 2017

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