

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-09-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.22259 of 2017

Thiru Murugan High School,
Rep. by its Secretary,
Valliammalpuram,
Tirunelveli District.

... Petitioner

Vs

1. The Secretary to Government,
Education Department,
Government of Tamil Nadu,
Fort st. George,
Chennai 600 009.
2. The Director of School Education,
College Road,
Chennai 600 006.
3. The Chief Educational Officer,
Tirunelveli-1.
4. The District Educational Officer,
Cheranmadevi at Tirunelveli.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance a writ of mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 03.07.2017 made to grant permission to the petitioner's school for filling up the post of Office Assistant in the light of the orders passed in W.P. (MD) No.11481 of 2008 batch, within a time frame.

For Petitioner : Mr.R.Kamaraj

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader

O R D E R

The petitioner school has been established 50 years ago and it is an aided school. The Office Assistant namely one Jayakumar, got voluntary retirement from service with effect from 31.08.2015. The said post has become vacant from 01.09.2015 onwards.

2. The petitioner's school committee sought permission from the Chief Educational Officer/3rd respondent herein to fill up the post of Office Assistant. However, the 4th respondent informed the petitioner that the claim would be considered after receiving orders from the 1st respondent. However, no information has been received from the first respondent.

3. Therefore, the petitioner made a representation on 03.07.2017 to the first respondent, seeking permission to fill up the post of Office Assistant, which was not considered, compelling the petitioner to approach this Court.

4. Heard, Mr.R.Kamaraj, learned Counsel for the Petitioner and Mr.V.Anandhamoorthy, learned Additional Government Pleader for the respondents.

5. The learned Additional Government Pleader would submit that the issue regarding seeking permission/approval from the educational authorities for filling up the post in aided schools is covered by the orders passed in Writ Petition No.13413/2016 and batch dated 02.08.2017 by Justice S.M.Subramaniam. The said writ petitions were allowed granting permission and the petitioner, who is similarly placed, is also entitled to the relief sought. Therefore, the writ petition is allowed and direction is given to the respondents to grant permission to the petitioner to fill up the Office Assistant Post within twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

tkp/sai

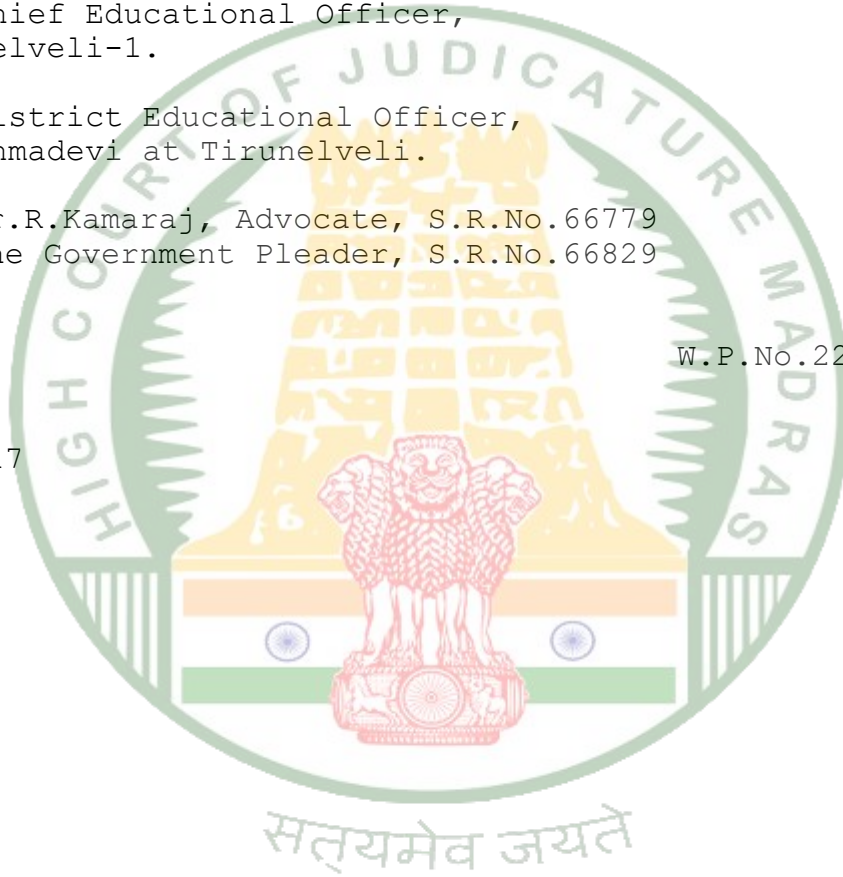
To

1. The Secretary to Government,
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Tirunelveli-1.
4. The District Educational Officer,
Cheranmadevi at Tirunelveli.

+lcc to Mr.R.Kamaraj, Advocate, S.R.No.66779
+lcc to the Government Pleader, S.R.No.66829

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SJ(CO)
CS/10/10/17



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