

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Writ Petition No.12874 of 2017
and WMP.No.13730 of 2017

P.Hema Vinslo

...Petitioner

Vs.

1.The State of Tamil Nadu
Rep. By its Principal Secretary to Government
School Education Department
Secretariat, Fort.St.George
Chennai-600 009

2.The Director of School Education
Directorate of School Education
DPI Compound, College Road
Chennai-600 006

3.The Inspector of Anglo Indian Schools
DPI Campus
Chennai-600 006

4.The Correspondent
Christ Church Anglo Indian Hr.SEc. School
56, Anna Salai
Chennai-600 002

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularize the service of the petitioner in the post of Middle Grade Post Graduate (Chemistry) Teacher with effect from 04.07.2013 i.e., the date of initial appointment and to pass further orders.

For Petitioner : Mr.M.Singaravelan, Senior counsel
for Mr.S.Jagadeesan

For Respondents : Mr.S.Gunasekaran, AGP.

ORDER

The Writ Petitioner is appointed on temporary basis as Chemistry Teacher in the 4th respondent school. Her appointment was periodically extended and it came to end by 30.05.2016 and the 4th respondent has issued the relieving order on 31.03.2017. Now that the Advertisement has been given on 16.04.2017 seeking for candidates for teachers to the 4th respondent school for regular appointment. On 18.04.2017, the petitioner has also applied for the post of Chemistry Teacher. While the matter stood thus, the petitioner has come up with this writ petition for a direction to the respondents to regularise her service in the post of Middle Grade Post Graduate (Chemistry) Teacher with effect from 04.07.2013 i.e., the date of initial appointment.

2. Admittedly, the 4th respondent-school is a minority institution and the respondents 1 to 3 cannot interfere with the internal affairs of the institution. However, based on the submissions

made by the petitioner and considering the appointment order issued by the 4th respondent initially on 26.06.2013 which continued till 31.03.2017, on which date she was finally relieved and also considering the fact that the petitioner has submitted an application for the post of Chemistry Teacher on 18.04.2017, this court is inclined to give a direction to the 4th respondent school to consider the request of the petitioner in accordance with law for regularisation, if the post of Chemistry Teacher is not filled up so far.

3. It is desirous that the administration of the 4th respondent shall act fairly and reasonably in the case of appointment of teachers.

4. The Writ Petition is disposed of with the above direction.

No costs.

18.05.2017

Index:Yes/No

nvsri.

Note:Issue order copy on 22.05.2017

M.GOVINDARAJ, J.

nvsri

To

- 1.The State of Tamil Nadu
Rep. By its Principal Secretary to Government
School Education Department
Secretariat, Fort.St.George
Chennai-600 009
- 2.The Director of School Education
Directorate of School Education
DPI Compound, College Road
Chennai-600 006
- 3.The Inspector of Anglo Indian Schools
DPI Campus
Chennai-600 006
- 4.The Correspondent
Christ Church Anglo Indian Hr.SEc. School
56, Anna Salai
Chennai-600 002

W.P.No.12874 of 2017

18.05.2017

<http://www.judis.nic.in>