

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26170 of 2017

P.Usha .. Petitioner

-vs-

1. The Director of School Education
College Road
Chennai 600 006
 2. The Chief Educational Officer
Tiruvallur
Tiruvallur District 602 001
 3. The District Educational Officer
Tiruvallur
Tiruvallur District 602 001
 4. The Correspondent
Sarojini Varadappan Girls
Higher Secondary School
Poonamallee
Chennai 600 056
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to approve the appointment of the petitioner as Record Clerk from the date of her joining the said post on 01.06.2016 and pay salary and other benefits to the petitioner by considering the proposal sent by the fourth respondent management on 05.06.2017 and to pass orders thereon on merits and in accordance with law within a time to be stipulated by this Hon'ble Court.

For Petitioner :: Mr.P.Ganesan
For Respondents :: Mr.ERA.Premnath
Government Advocate for R1 to 3

ORDER

The petitioner has come to this Court seeking a writ of mandamus directing the District Educational Officer, Tiruvallur, the third respondent herein to approve her appointment as Record

Clerk from the date of her appointment on 1.6.2016 and pay the salary and other benefits, on the basis of the proposal sent by the Correspondent of Sarojini Varadappan Girls Higher Secondary School, Ponnamallee, Chennai.

2. Heard both sides.

3. The petitioner was appointed as Record Clerk on 1.6.2016 by the fourth respondent in the scale of PB1A Rs.4800-10000 (Basic Pay 4800+1300 GP+other allowances) and was put on probation for a period of two years, in the promotional vacancy of one Tmt.S.Devi on 2.8.2010. Immediately thereafter, the fourth respondent sent the proposal to the third respondent seeking approval of his appointment on 1.6.2016, whereas the third respondent returned the proposal on 8.5.2017 directing the fourth respondent to comply with some of the defects mentioned therein. Answering all the defects and queries, the fourth respondent has sent another modified proposal to the third respondent on 5.6.2017 seeking approval of the petitioner's appointment as Record Clerk. But till date, no response is forthcoming, as a result, the petitioner is working without salary.

4. Since the petitioner was appointed as Record Clerk in the promotional vacancy of one Tmt.S.Devi, it goes without saying that the petitioner was appointed in the said promotional vacancy with effect from 1.6.2016 FN in the scale of pay, PB1A Rs.4800-10000 (Basic Pay 4800+1300 GP+other allowances). Therefore, I do not find any impediment to direct the third respondent to accept the proposal sent by the fourth respondent. Accordingly, the third respondent is hereby directed to consider the proposal sent by the fourth respondent with regard to the approval of appointment of the petitioner as Record Clerk with effect from 1.6.2016 FN and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.27818 of 2017 is closed. No costs.

/sd/

Assistant Registrar

/True Copy/

Sub Assistant Registrar

ss

To

1. The Director of School Education
College Road
Chennai 600 006

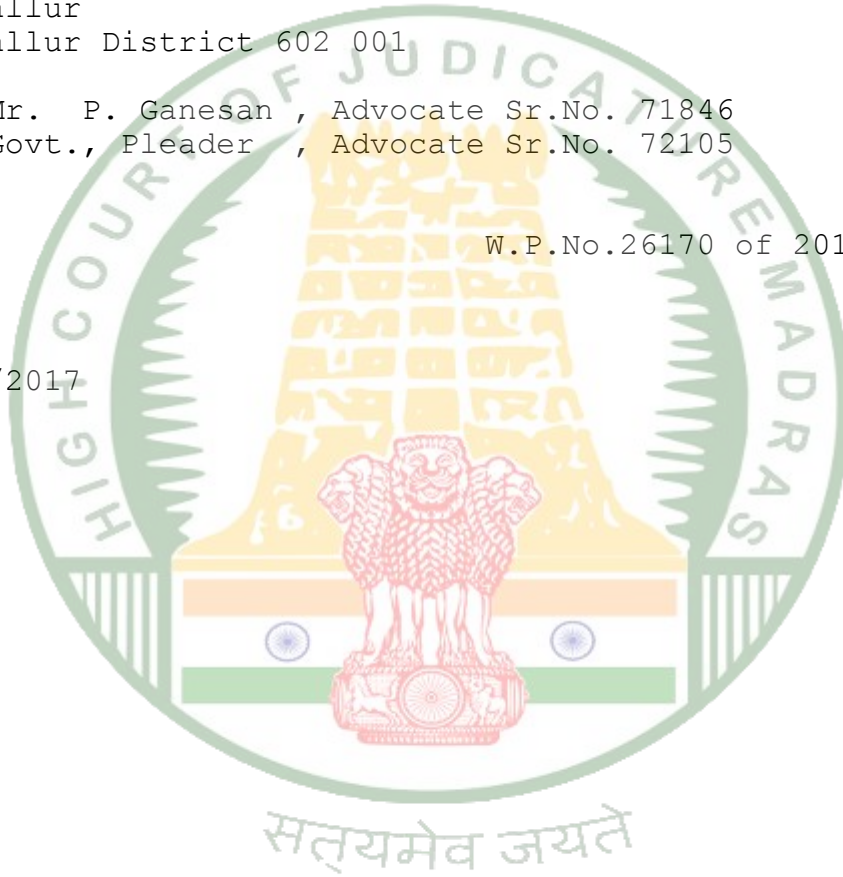
2. The Chief Educational Officer
Tiruvallur
Tiruvallur District 602 001

3. The District Educational Officer
Tiruvallur
Tiruvallur District 602 001

+1 CC to Mr. P. Ganesan , Advocate Sr.No. 71846
+1 CC to Govt., Pleader , Advocate Sr.No. 72105

W.P.No.26170 of 2017

sk (co)
MD: 27/10/2017



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