

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.10.2017

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.Nos.26422 to 26425 of 2017 and
W.M.P.Nos.28092 to 28095/2017

D.William Samuel	...Petitioner in W.P.26422/2017
S.Tharani	...Petitioner in W.P.26423/2017
S.Ravi	...Petitioner in W.P.26424/2017
M.Mallika	...Petitioner in W.P.26425/2017

Versus

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

Prayer in W.P.No.26422/2017: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Office Assistant from the date of his joining the said post on 01.06.2016, pay salary and other benefits to the petitioner by considering the proposal sent by the 4th 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 Court.

Prayer in W.P.No.26423/2017: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Waterman from the date of her joining the said post on 01.06.2016, pay salary and other benefits to the petitioner by considering the proposal sent by the 4th 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 Court.

Prayer in W.P.No.26424/2017: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Watchman from the date of his joining the said post on 01.06.2016, pay salary and other benefits to the petitioner by considering the proposal sent by the 4th 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 Court.

Prayer in W.P.No.26425/2017: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Gardener from the date of her joining the said post on 01.06.2016, pay salary and other benefits to the petitioner by considering the proposal sent by the 4th 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 Court.

For Petitioner : Mr.P.Ganesan
in all W.Ps.
For Respondents : Mr.ERA.Premnath,
in all W.Ps. Government Advocate

C O M M O N O R D E R

The petitioners have come forward with these Writ Petitions seeking to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioners as Office Assistant, Waterman, Watchman and Gardener respectively in the 4th respondent School, from the date of their joining the said posts on 01.06.2016, pay salary and other benefits to them by considering the proposal sent by the 4th respondent Management on 05.06.2017 and to pass orders thereon on merits and in accordance with law within a period stipulated by this Court.

2. The case of the petitioners is that they were all appointed as Office Assistant, Waterman, Watchman and Gardener respectively in the 4th respondent School on 01.06.2016, in the regular sanctioned retirement vacancies. After their appointments, the 4th respondent, namely, the Correspondent, Sarojini Varadappan Girls' Higher Secondary School, Poonamallee, Chennai-56, sent a detailed proposal to the District Educational Officer, Tiruvallur, Tiruvallur District, the 3rd respondent herein 01.06.2016 seeking approval of their appointments citing clearly that the petitioners were appointed in the regular sanctioned vacancies. However, the 3rd respondent returned the proposal on 08.05.2017 raising certain queries and after

rectifying the defects mentioned therein, immediately, the 4th respondent school resubmitted the proposal on 05.06.2017 and now the proposal is pending with the 3rd respondent. No action has been taken on the said proposal so far and due to the inaction on the part of the 3rd respondent, the petitioners have not able to receive their salary although they were working for more than a year from 01.06.2016 onwards in the 4th respondent School. Hence the petitioners have approached this Court by way of filing these Writ Petitions.

3. MR.ERA.Premnath, learned Government Advocate, who takes notice for the respondents 1 to 3 would submit that four weeks time may be granted to the 3rd respondent to consider the proposal of the 4th respondent dated 05.06.2017.

4. Considering the facts and circumstances of the matter and also taking into account the request made by the learned Government Advocate appearing for the respondents 1 to 3, the 3rd respondent is directed to consider the proposal of the 4th respondent school dated 05.06.2017 and pass appropriate orders thereon on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

5. With the above direction, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Director of School Education,
College Road, Chennai-600 006.
2. The Chief Educational Officer,
Thiruvallur, Thiruvallur District-602 001.

3. The District Educational Officer,
Tiruvallur, Tiruvallur District-602 001.

+4 ccs to M/s.P.Ganesan Advocate sr72519 to 72522
+1 cc to the Government Pleader sr 72869

W.P.Nos.26422 to 26425/2017

aa31/10/2017



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