

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

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THE HONOURABLE MR. **JUSTICE T. RAJA**

**W.P.Nos.26711 of 2017 and
WMP.No.28433/2017**

T.Sunder

.. Petitioner

Vs.

1. The Director of School Education,
College Road, Chennai-6.
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-56.

Respondents

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Scavenger (Part Time) from the date of his joining the said post on 01.06.2016 and pay salary and others benefits to the petitioner by consider the proposal

sent by the 4th respondent Management on 01.06.2016 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

For Respondents : Mr.RAS.Senthilvel,
1 to 3 Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition seeking to issue a Writ of Mandamus, directing the 3rd respondent to approve the appointment of the petitioner as Scavenger (Part Time) from the date of his joining the said post on 01.06.2016 and pay salary and others benefits to him by considering the proposal sent by the 4th respondent Management on 01.06.2016 and to pass orders thereon on merits and in accordance with law, within a time to be stipulated by this Court.

2. The case of the petitioner is that he was appointed as Office Scavenger (Part Time) in the 4th respondent School on 01.06.2016, in the regular sanctioned retirement vacancy in the place of one G.Adiyammal. After his appointment, 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 on 01.06.2016 seeking approval of his appointment citing clearly that the petitioner was appointed in the regular sanctioned retirement vacancy. 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 petitioner is not able to receive his salary although the petitioner has been working for more than a year from 01.06.2016 onwards in the 4th respondent School. Hence the petitioner has approached this Court by way of filing this Writ Petition.

3. Mr.R.A.S.Senthilvel, learned Additional Government Pleader, 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.

T.RAJA, J,

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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 Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

12.10.2017

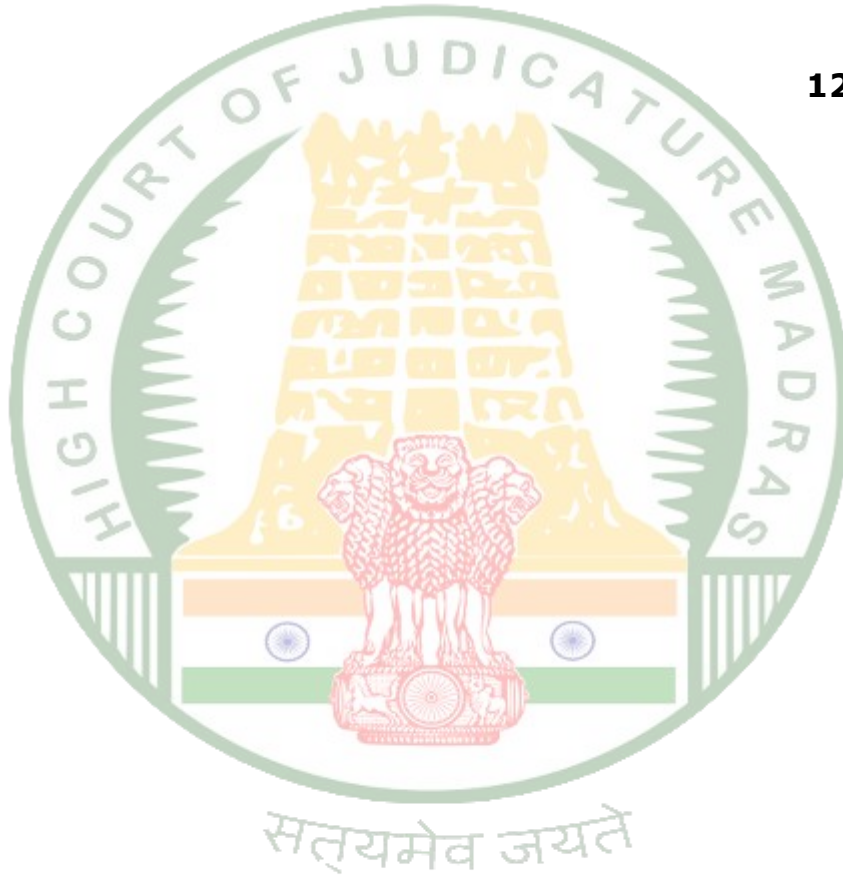
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To

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.

W.P.No.26711 of 2017

12.10.2017



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