



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.19300 of 2014

J. Vijay Sundar

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Tirunelveli.

4.The Additional Assistant Elementary Educational Officer,
Kadayam Range,
Tirunelveli District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents to revise and approve the appointment of the petitioner from 23.07.1997 as Primary School Head Master and pay salary of Secondary Grade Teacher in the post of Headmaster for a period of five years and thereafter to get salary applicable to the post of Primary School Head master from 23.07.2002 with arrears in the light of the orders passed by 1st Respondent in G.O. (3D).No.117, dated 11.09.2012 and G.O.(3D). No.82, dated 29.06.2010 of School Education (B1) Department based on the representation dated 28.07.2014.

For Petitioner

: Mr. F.Deepak

For Respondents

: Mr. N.S. Karthikeyan

Additional Government Pleader

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/> This Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents to revise and approve the appointment of the petitioner from 23.07.1997 as Primary School



Head Master and pay salary of Secondary Grade Teacher in the post of Headmaster for a period of five years and thereafter, to get salary applicable to the post of Primary School Head Master from 23.07.2002 with arrears in the light of the orders passed by the first respondent in G.O.(3D).No.117, School Education (B1) Department, dated 11.09.2012 and G.O.(3D) No.82, School Education (B1) Department, dated 29.06.2010 and based on the representation of the petitioner dated 28.07.2014.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.It is brought to the notice of this Court that the third respondent, the District Elementary Educational Officer, Tirunelveli, has sent his recommendation to the second respondent, the Director of Elementary Education, Chennai, to approve the appointment of the petitioner with effect from the date of appointment subject to the terms and in accordance with the Government Order. In such circumstances, the request of the learned Counsel for the petitioner is that the first respondent has to pass orders on the recommendations of the second respondent. Since the third respondent has already recommended the case of the petitioner in terms of the prayer in the writ petition, this Court, without expressing any opinion on the merits of the case, is inclined to pass the following directions:

The second respondent is directed to send proposals to the first respondent on the basis of the recommendations of the third respondent within a period of eight weeks from the date of receipt of a copy of this order. On receipt of such proposals, the first respondent shall consider the case of the petitioner in the light of the Government Order passed in the case of similarly placed persons on merits and in accordance with law within a period of six weeks thereafter.

4.With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar



1.The Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Tirunelveli.

4.The Additional Assistant Elementary Educational Officer,
Kadayam Range,
Tirunelveli District.

+1CC to M/S.F.Deepak, Advocate, SR.No. 16229

+1CC to the Special Government Pleader SR.No. 16182

ORDER MADE IN
W.P. (MD).No.19300 of 2014
20.03.2017

SRM

AM/KP/SAR-4/17.04.2017/3P/7C