



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

W.P. (MD) No. 14787 of 2017

and

WMP (MD) No. 11625 of 2017

C. James Victor Raj

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Secretariat, Chennai-9.

2. The Director of School Education,
College Road, Chennai.

3. The chief Educational Officer,
Nagercoil, Kanyakumari District.

4. The District Educational Officer,
Kuzhithurai, Kanyakumari District.

5. Higher Secondary School Motakala,
Represented by its Correspondent,
Edaicode Post-629 152,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to approve the appointment of the petitioner as Office Assistant with effect from 02.01.2014 by considering the proposal submitted by the 5th respondent on 12.06.2017 and to disburse all the monetary benefits consequent to the same.

For Petitioner : Mr. S. C. Herold Singh

For R1 to R4 : Mr. K. Guru

Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for

<https://hcmr.judges.org/judges/>

3. The petitioner having acquired the requisite



qualification for the post of Office Assistant, registered his qualification in the District Employment Office, Kanyakumari. While searing for employment, the fifth respondent School being the minority Educational Institution, has appointed the petitioner in a retirement vacancy occurred on 28.02.2012 by passing an order of appointment on 02.01.2014. Thereafter, the fifth respondent School also submitted a detailed proposal on 12.06.2017 to the fourth respondent to approve the said appointment. However, the said proposal has not been considered till date. Therefore, the petitioner has come to this Court seeking a direction to the 4th respondent to consider the proposal sent by the School.

4. The learned Additional Government Pleader, on instructions, sought sufficient time to consider the proposal made by the 5th respondent School to the 4th respondent District Educational Officer.

5. When the proposal made by the fifth respondent School to the 4th respondent District Educational Officer, Kuzhithurai, Kanyakumari District, shows that the petitioner was appointed in a sanctioned post that has fallen vacant on account of retirement of one Mr.Vikraman Nair, the 4th respondent shall consider the said proposal and pass orders within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction this Writ Petition disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
School Education Department,
Secretariat, Chennai-9.

2.The Director of School Education,
College Road, Chennai.

3.The chief Educational Officer,
Nagercoil, Kanyakumari District.

4.The District Educational Officer,
Kuzhithurai, Kanyakumari District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. NO.72030

+1cc to Mr.S.C.HEROLD SINGH Advocate in SR. No.71461

RR

JS/SKN.RSK/SAR.3/23.08.2017/2P-7C

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