



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P (MD) No.15073 of 2017

and

W.M.P (MD) No.11904 of 2017

N.Praveen

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. 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,
Rep 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 Watchman with effect from 01.04.2014 by considering the proposal submitted by the fifth respondent on 12.06.2017 and to disburse all the monetary benefits consequent to the same.

For Petitioner : Mr.S.C.Herold Singh

For Respondents 1 to 4 : Mr.K.Guru

Additional Government Pleader

O R D E R

By consent of both parties, this Writ Petition itself is taken up for disposal.

2.The petitioner was appointed in a sanctioned post which fell vacant in the fifth respondent school on account of the demise of



one R.Raby, who died on 31.01.2014, while serving as Watchman in the said school. Considering the petitioner's eligibility, the fifth respondent school vide order dated 01.04.2014, appointed the petitioner as Watchman with effect from 01.04.2014.

3. Thereafter, the fifth respondent school has also sent a proposal vide proceedings in Na.Ka.No.63 of 2017 dated 12.06.2017 to the fourth respondent / District Educational Officer, Kuzhithurai, seeking approval of the petitioner's appointment. But the same is pending for quite a long time and hence, the petitioner is unable to get his salary. The proposal dated 12.06.2017, sent by the fifth respondent school seeking an order of approval of the appointment of the petitioner clearly, shows that the petitioner has been appointed as Watchman in a sanctioned post.

4. Mr. K. Guru, learned Additional Government Pleader appearing for the respondents 1 to 4 sought four weeks time to consider the proposal sent by the fifth respondent school.

5. Recording the statement made by the learned Additional Government Pleader, this Court directs the fourth respondent to consider the proposal of the fifth respondent school within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai-9.
2. The Director of School Education,
College Road, Chennai.
3. The Chief Educational Officer,
Nagercoil,
Ranikumbhari District.



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

+1cc to Mr.S.C.Herold singh,Advocate,SR. 71863
+1cc to M/S.Special Government Pleader,SR. 72338

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MR/VSG
KK/SV MMS/SAR1-21.08.2017-3P-7C