

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7070 of 2018

V.Sujatha .. Petitioner

-VS-

1. The District Elementary Educational Officer
Villupuram District
Villupuram
2. The Assistant Elementary Educational Officer
Melmalayanur Block
Villupuram District
3. The Manager
St.Ann's Aided Elementary School
Kadali 604 210
Melmalayanur Union
Villupuram District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass orders on the proposal forwarded by the third respondent school dated 06.02.2017 and the subsequent proposal forwarded by the second respondent to first respondent in Na.Ka.No.140/A1/2017 dated 13.03.2017 and consequently approve the appointment of petitioner in the post of Secondary Grade Teacher in the third respondent school from the date of appointment on 01.08.2016, with all consequential and other service benefits including payment of arrears of salary along with interest for the belated payment, within a time frame to be fixed by this Hon'ble Court.

For Petitioner: Mr.G.Sankaran

For Respondents: Mr.C.Munusamy
Special Government Pleader
for R1 & 2

ORDER

This writ petition has been filed by Mrs.V.Sujatha, who was

appointed as Secondary Grade Teacher in the third respondent- St. Ann's Aided Elementary School, Kadali, Melmalayanur Union on 1.8.2016 in the vacancy arose on account of the migration of one Mrs.S.Vijayalakshmi and whose migration also has been approved by the competent authority on 21.7.2016. Therefore, the third respondent, being an aided school receiving grant-in-aid from the State Government, submitted a detailed proposal on 6.2.2017 to the first respondent through proper channel and the second respondent has also forwarded the proposal to the first respondent, agreeing with the school for filling up of the post, for granting approval in favour of the petitioner in the post of Secondary Grade Teacher. The learned counsel for the petitioner submitted that since the third respondent school is sanctioned with one post of Headmaster and one post of Secondary Grade Teacher as per the staff fixation order dated 18.12.2016 passed by the District Elementary Educational Officer, Villupuram and the petitioner has been appointed in the vacant post of Secondary Grade Teacher, he sought for a direction to the first respondent to grant the order of approval forthwith, so that the third respondent school will have the minimum one Secondary Grade Teacher apart from the Headmaster.

2. The learned Special Government Pleader for the respondents 1 & 2, taking note of the factor that the third respondent school has been sanctioned with one post of Headmaster and one post of Secondary Grade Teacher and that the petitioner has been appointed in the vacant post arose on account of the migration of one Mrs.S.Vijayalakshmi to some other school and the said transfer was also accepted by the first respondent, sought sufficient time to consider the proposal.

3. This Court, keeping in mind that there is a recommendation made by the second respondent to the first respondent to approve the appointment of the petitioner in the post of Secondary Grade Teacher, hereby directs the first respondent to pass orders of approval of the appointment of the petitioner as Secondary Grade Teacher in the third respondent school with effect from the date of her appointment forthwith and also release the salary with arrears within a period of three weeks from the date of receipt of a copy of this order. With this direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ss
To

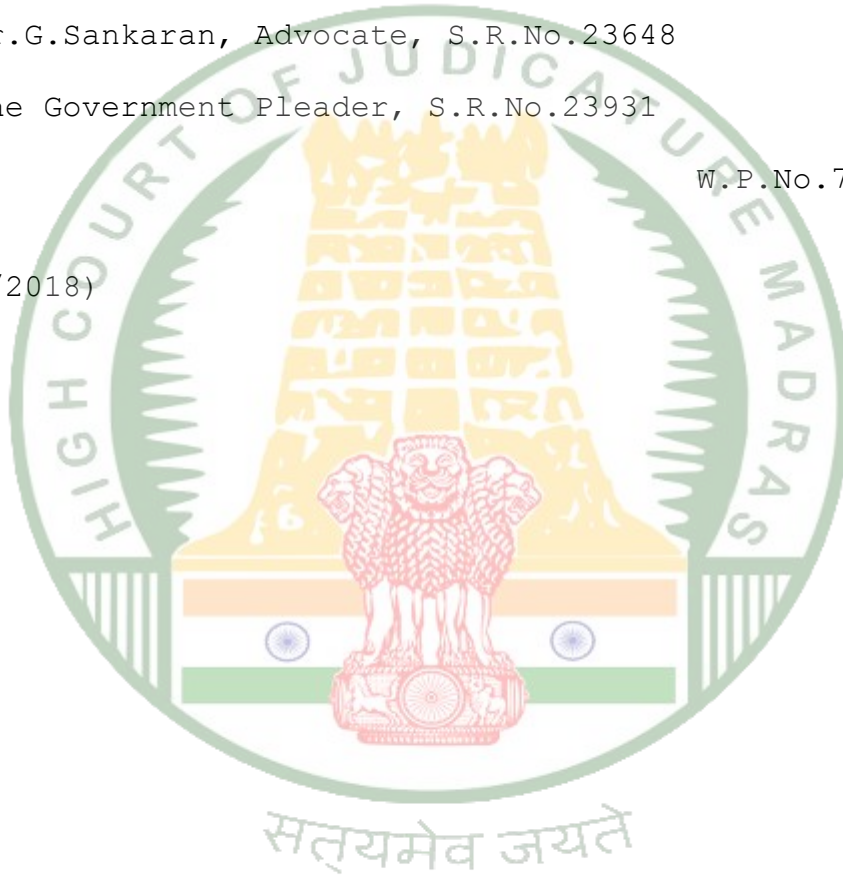
1. The District Elementary Educational Officer
Villupuram District
Villupuram
2. The Assistant Elementary Educational Officer
Melmalayanur Block
Villupuram District

+1cc to Mr.G.Sankaran, Advocate, S.R.No.23648

+1cc to the Government Pleader, S.R.No.23931

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GSP(10/04/2018)



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