

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.10349 of 2018 and WMP No.12309 of 2018

M.Niji

.. Petitioner

Vs

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Education Department, Fort St. George,
Secretariat, Chennai - 9.
2. The Director of School Education,
College Road, Chennai - 6.
3. The District Education Officer,
Erode, Erode District.
4. The Correspondent,
R.C.Aided Primary School,
Door No.12/201,
Doddagajanur Village,
Thalavadi, Sathyamangalam Taluk,
Erode District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to grant approval of my appointment as Secondary Grade Teacher in the 4th respondent school with effect from 01.06.2017 with all consequential monetary benefits.

For Petitioner : Mr.V.Stalin

For Respondents: Mrs.P.Kavitha
Government Advocate
for R1 to R3

ORDER

The grievance expressed by the petitioner is that she was appointed as a Secondary grade teacher vide order dated 01.06.2017 in the 4th respondent Minority Institution. Pursuant to her appointment, the 4th respondent sent a proposal to the 3rd respondent seeking for an approval of petitioner's appointment as a Secondary Grade Teacher. The 3rd respondent

who is the approving authority had returned the proposal vide order dated O.M.No.4529/A3/2017 dated 13.10.2017 for complying with certain deficiencies in enclosures. Thereafter, the 4th respondent has rectified the defects and represented the proposal on 14.12.2017 to the 3rd respondent for approval. But no decision has been taken on such approval of appointment by the 3rd respondent on such revised proposal submitted by the 4th respondent dates back in 14.12.2017 and hence, the petitioner has come forward to file this writ petition seeking for a direction to approve the appointment of the petitioner in the 4th respondent school with effect from 01.06.2017 with all consequential benefits.

2. Heard the submission of learned counsel appearing for the petitioner, so also perused the material placed before this Court.

3. Mrs.P.Kavitha, learned Government Advocate appearing on behalf of the respondents 1 to 3 submits that the respondents shall have no objection to take an informed decision, if such proposal is pending within a stipulated period in accordance with law.

4. Considering the aforesaid facts and submissions, especially taking into consideration of the prayer made by the petitioner in this writ petition and also the submission of the learned counsel for the respondent, this Court dispose of this writ petition with a direction to the 3rd respondent to take an informed and considered decision on the approval of the petitioner's appointment based on the proposal submitted by the 4th respondent on its own merit and in accordance with law, within a period of six weeks from the date of receipt of copy of this order. However, it is made clear that this Court has not expressed any opinion on the merit of such proposal in any particular manner. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Education Department, Fort St. George,
Secretariat, Chennai - 9.

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

3. The District Education Officer,
Erode, Erode District.

+1cc to Mr.V.Stalin, Advocate SR.NO.57413

+1cc to Government Pleader SR.NO.57653

sm:4.9.2018

WP.10349 of 2018



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