

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2018

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.5585 of 2018

D.Vasudevan

.. Petitioner

Vs

1.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.

2.The Chief Educational Officer,
Panagal Building, Saidapet,
Chennai - 15.

3.The District Educational Officer,
Chennai North, Egmore,
Chennai - 8.

4.The Correspondent,
Singarampillai Boys Higher Secondary School,
Villivakkam, Chennai - 49.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to the impugned proceedings issued by the third respondent in O.Mu.No.1895/Aa3/2017, dated 26.10.2017 and to quash the same and consequently to direct the respondents 1 to 3 to approve the appointment of the petitioner in the post of Watchman in the fourth respondent school from the date of initiate appointment on 15.03.2017 with all consequential and other attendant benefits along with interest.

For petitioner : Mr.G.Sankaran

For R1 to R3 : Mrs.P.Rajalakshmi, AGP

O R D E R

By way of filing this writ petition, the petitioner seeks to quash the impugned proceedings dated 26.10.2017 of the third respondent / the District Educational Officer, Chennai, rejecting the proposal sent by the fourth respondent School to approve the appointment of the petitioner as Watchman with effect from 15.03.2017 in the sanctioned vacancy.

2. When the matter was taken up on 13.03.2018, this Court directed the District Educational Officer, Chennai North / third respondent herein to appear before it on 21.03.2018 along with his explanation as to why exemplary costs of Rs.25,000/- should not be imposed towards the litigation expenses. Accordingly, when the matter is taken up today, Mr.S.Pasupathy, District Educational Officer, appeared and also filed an affidavit dated 21.03.2018 stating that the impugned proceedings dated 26.10.2017 questioned in the present writ petition has not been passed by him, as he has joined only on 19.11.2017, therefore, he cannot be held liable for the error committed by his predecessor.

3. Mrs.P.Rajalakshmi, learned Additional Government Pleader, appearing for the respondents 1 to 3 stated that now the present District Educational Officer (DEO) has passed a proceeding dated 20.03.2018 approving the appointment of the petitioner as Watchman. She has further stated that whenever any proposal comes from the Aided Institution seeking approval of appointment with regard to non-teaching staffs, by following the settled legal position, the present DEO immediately approves the same without giving any room for the delay. She has also further assured that as per the direction issued by this Court on 13.03.2017, the Director of School Education, Chennai / first respondent herein, within a period of four weeks, would issue a circular to all the District Educational Officers in the State by directing them to strictly follow the settled legal position in the matters of grant of approval of appointment with regard to non-teaching staff.

4. Recording the above said submissions and also placing on record the proceedings dated 20.03.2018 of the third respondent herein, the writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते
Sd/-

Assistant Registrar(CO)

//True Copy//

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Sub Assistant Registrar

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To

1.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.

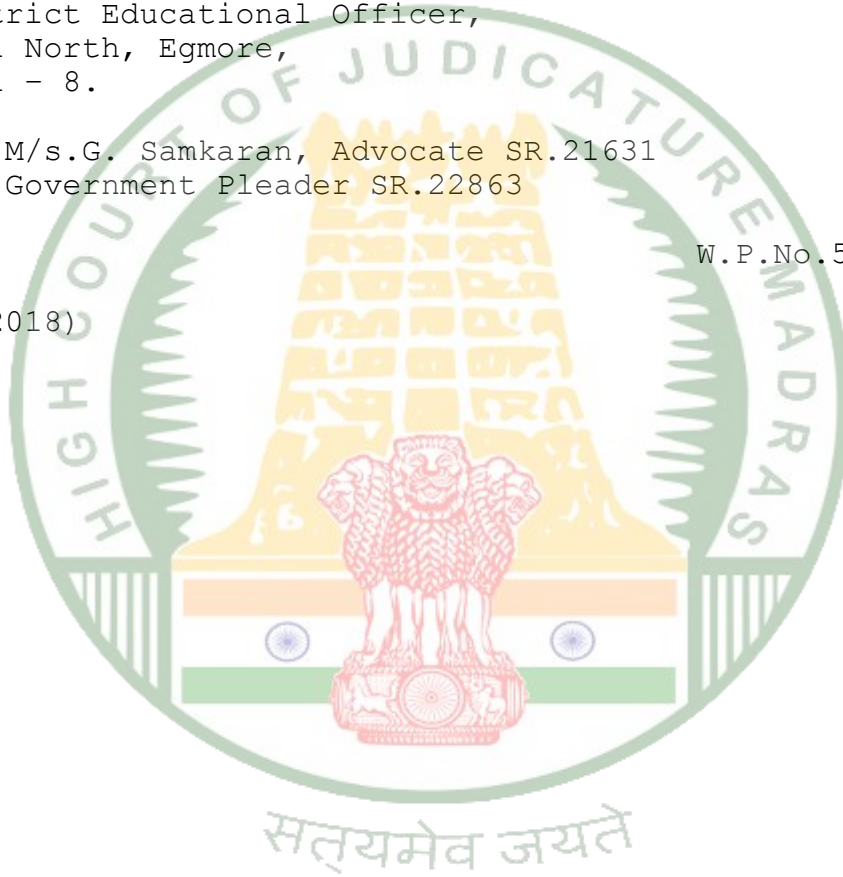
2.The Chief Educational Officer,
Panagal Building, Saidapet,
Chennai - 15.

3.The District Educational Officer,
Chennai North, Egmore,
Chennai - 8.

+ 1 cc to M/s.G. Samkaran, Advocate SR.21631
+ 1 cc to Government Pleader SR.22863

W.P.No.5585 of 2018

KJ(CO)
EU(12/04/2018)



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