

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.06.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No.6438 of 2015

M.P.No.1 of 2015

&

W.M.P.No.8494 of 2017

V. Revathy

...Petitioner

Vs.

1. The Director of School Education,  
College Road,  
Chennai - 600 006.
2. The Director of Elementary Education,  
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer,  
Villupuram, Villupuram District.
4. The Correspondent,  
E. Venugopal Aided Primary School,  
So. Kuppan, Gingee Taluk,  
Villupuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's case on the basis of the orders passed in the proceedings of the first respondent in Na.Ka.No.34116/D1/C4/13, dated 27.11.2013 and approve her appointment as Secondary Grade Teacher in the fourth respondent/School and provide Teaching Grant for her post.

For Petitioner : Mr.C.Prakasam

For Respondents 1 -3 : Mrs.P. Kavitha  
Government Advocate

For Respondent-4 : No appearance

O R D E R

Heard Mr.C.Prakasam, the learned counsel appearing for the petitioner and Mrs.P. Kavitha, the learned Government Advocate for the respondents 1 to 3. Though the fourth respondent has been served, and their name is printed in the causelist, none appears on behalf of the fourth respondent.

2. The petitioner has filed this Writ Petition, praying for issuance of a Writ, in the nature of Mandamus directing the respondents 1 to 3 to consider her case on the basis of the orders passed in the proceedings of the first respondent dated 27.11.2013 and to approve her appointment as Secondary Grade Teacher in the fourth respondent/School and provide Teaching Grant for her post.

3. The case of the petitioner is that the petitioner has been appointed as Secondary Grade Teacher in the fourth respondent/School, which is an aided School. Though the petitioner has been appointed to the said post way back in the year 2012 itself, her appointment has not been approved so far. In this regard, the petitioner has already made a representation to the third respondent, the District Elementary Educational Officer, dated 16.12.2014. Since the said representation evoked no response, the petitioner is constrained to approach this Court by way of this Writ Petition.

4. The learned counsel appearing for the petitioner submits that the fourth respondent has sent a proposal to the Assistant Elementary Educational Officer in regard to the approval of the petitioner's appointment, who in turn has forwarded the same to the third respondent. Despite the same, the third respondent has not passed any orders. The inaction on the part of the third respondent being arbitrary and illegal, the third respondent be directed to consider the proposal pending with him within the stipulated period.

5. The learned Government Advocate for the respondents 1 to 3 submits that, if such a proposal is pending, the third respondent will take necessary steps in regard to the disposal of the same within the stipulated period. In view of such submission, no useful purpose that is going to be served by directing the respondent/Education Department to file counter affidavit.

6. In the light of the above, the Writ Petition stands disposed of with a direction to the third respondent to consider the proposal of the fourth respondent in regard to the approval of the petitioner's appointment forwarded to him via. Assistant

Elementary Educational Officer by verifying the facts and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of this order. However, in the circumstances of the case, there shall be no order as to costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Director of School Education,  
College Road, Chennai - 600 006.
2. The Director of Elementary Education,  
College Road, Chennai - 600 006.
3. The District Elementary Educational Officer,  
Villupuram, Villupuram District.

+1 cc to the Govt pleader sr 37526  
+1 cc to Mr.C.Prakasam Advocate sr 36557

Writ Petition No.6438 of 2015

ss(co)  
aa22/06/2018

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