

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA

Writ Petition No.31094 of 2018

R.Nallasamy

... Petitioner

..vs..

1. The Chief Educational Officer,
Erode District
 2. The Secretary, Sakthi Higher Secondary School,
Nachimuthupuram, Sakthinagar 638 315
Erode District
- ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the the first respondent to dispose the appeal of the petitioner, dated 5-9-2018 with stipulated time may be fixed by this Court.

For Petitioner : Mr. M.Gnansekar

For Respondents : Mrs. P.Kavitha, Govt. Advocate (Edn.).

O R D E R

This writ petition has been filed seeking direction to the respondents to dispose of the Appeal within the limited time frame to be fixed by this Court.

2. Mrs.P.Kavitha, learned Government Advocate, takes notice for the respondents. With consent of the learned counsel appearing for both sides, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner had been employed as Office Assistant at the second respondent / Sakthi higher secondary school, Nachimuthupuram, Erode District.

3.1. It is the claim of the petitioner that he has completed M.Com., degree and has acquired requisite skill in typewriting also. From the year 2011 onwards, the post of Junior Assistant is vacant, i.e., exactly from 01.02.2011. The

petitioner made a claim for promotion to the post of Junior Assistant. As the claim for promotion was rejected, the petitioner filed a writ petition before this Court in W.P.No.23596 of 2015, which was disposed of on 18.07.2018 with a direction to make an Appeal under the relevant provisions of the Act. In tune with the order passed by this Court, the petitioner has filed an Appeal under Rule 23 of the Tamil Nadu Private Schools Regulations Act, 1973. As this Appeal is pending from 05.09.2018, this writ petition was filed seeking direction to the respondents to dispose of the Appeal within the limited time frame to be fixed by this Court.

4. In view of the limited relief sought for, without dwelling into the merits of the matter, this Court directs the first respondent to dispose of the Appeal filed by the petitioner on 05.09.2018, and to pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

srk

To

1. The Chief Educational Officer,
Erode District
2. The Secretary, Sakthi Higher Secondary School,
Nachimuthupuram, Sakthinagar 638 315
Erode District

+1cc to Mr.M.Gnanasekar, Advocate SR.No.80224

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CP(CO)
GMY(28/12/2018)