



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.277 of 2018

Josephine Rani

... Petitioner

Vs.

1.The District Elementary Educational
Officer,
Tirunelveli, Tirunelveli District.

2.The Assistant Elementary Educational
Officer,
Tenkasi, Tirunelveli District.

3.The Correspondent,
R.C.Primary School, Tenkasi,
Tirunelveli District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to consider and pass orders on the written proposal of the third respondent dated 25.07.2016 sent to the first respondent through the second respondent for granting approval of the post of the petitioner as secondary grade teacher in the third respondent school from the date of her appointment ie., from 15.06.2015.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.K.Saravanan,
Government Advocate for RR1 & 2

No appearance for R3

ORDER

The writ petitioner was appointed as a Secondary Grade Teacher in the third respondent school by order dated 14.06.2015. The third respondent school is a minority institution. It is getting aid from the Government. Even though a proposal was submitted as early as on 25.07.2016, till date approval has not been granted. Therefore, the present writ petition came to be filed.

2.The learned counsel appearing for the writ petitioner placed reliance on the communication dated 14.07.2016 issued by the



District Elementary Educational Officer, Tirunelveli and sought relief in the writ petition.

3.Per contra, the learned Government Advocate appearing for the respondents submitted that there are 24 sanctioned teaching posts and that the writ petitioner's appointment is not in respect of a sanctioned vacancy. Therefore, according to him, the writ petition cannot be allowed.

4.Considering the facts and circumstances of this case, this Court directs the first respondent to pass orders one way or the other on the proposals sent by the third respondent seeking approval of the writ petitioner's appointment within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To,

1.The District Elementary Educational
Officer,
Tirunelveli, Tirunelveli District.

2.The Assistant Elementary Educational
Officer,
Tenkasi, Tirunelveli District.

+One cc to Mr.D.Venkatesh, Advocate, SR.No.44241

+One cc to The special Government Pleader, SR.No.44789

skm

RL/5C/2P/KKR/SAR3/8/2/2018

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