



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4540 of 2018

S.Sunitha,
BT Assistant (Tamil),
L.M.S.Higher Secondary School,
Zionpuram, Monikettipottal Post,
Kanyakumari District - 629 501.

... Petitioner

Vs.

1. The Chief Educational Officer,
Kanyakumari District,
Nagercoil.
2. The District Educational Officer,
Thuckalay, Kanyakumari District.
3. L.M.S.Higher Secondary School,
Represented by its Correspondent,
Zionpuram, Monikettipottal Post,
Kanyakumari District - 629 501.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent herein to approve forthwith the appointment of the petitioner as B.T.Assistant(Tamil) in the 3rd respondent school from 24/06/2015 onwards with salary and other attendant benefits.

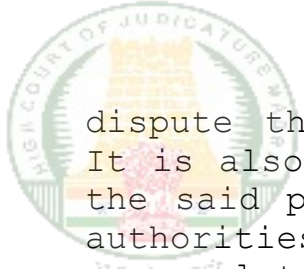
For Petitioner	: Mr.N.Vijayakumar
For R-1 & R-2	: Mr.Jeyakumar
	Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.By consent of both the parties, the main Writ Petition itself is taken up for final disposal.

3.The petitioner was appointed as B.T. Assistant (Tamil) in the third respondent school. The third respondent school is an private aided Minority Educational Institution. It is not in



dispute that the petitioner was appointed in a sanctioned post. It is also not in dispute that the petitioner is eligible to hold the said post. She is having the requisite qualification. The authorities were therefore not right in declining to grant approval to the petitioner.

4.The order impugned in the Writ Petition stands quashed. The second respondent is directed to approve the appointment of the petitioner in the third respondent school from the date on which the petitioner was so appointed. The second respondent is directed to release the grant in aid towards salary and other attendant and monetary benefits thereafter.

5.The Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Kanyakumari District,
Nagercoil.
2. The District Educational Officer,
Thuckalay, Kanyakumari District.
3. The Correspondent,
L.M.S.Higher Secondary School,
Zionpuram, Monikettipottal Post,
Kanyakumari District - 629 501.

+1cc to Mr.E.V.N.Siva, Advocate SR.No.58224

+1cc to The Spl. Government Pleader Sr.No.59042

TSG

VB/SKN/RSK/SAR2/05.06.2018/2P/6C

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