



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.4546 of 2018**

T.Prince,
Office Assistant,
Duthie Higher Secondary School for Girls,
Nagercoil - 629001,
Kanyakumari District.

... Petitioner

Vs.

1. The District Educational Officer,
Nagercoil, Kanyakumari District.
2. The District Educational Officer,
Kuzhithurai, Kanyakumari District.
3. The Correspondent,
Duthie Higher Secondary School for Girls,
Nagercoil - 629 001,
Kanyakumari District.
4. The Correspondent,
C.S.I.V.V.Higher Secondary School,
Irenipuram,
Kanyakumari District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent herein to approve forthwith the appointment of petitioner as Gardener in the 4th respondent school from 14/05/2008 onwards and disburse salary from 14/05/2008 to 28/10/2011.

For Petitioner	: Mr.E.V.N.Siva
For R-1 & R-2	: Mr.Jeyakumar
	Additional Government Pleader

ORDER

Heard the learned counsel on either side.

<https://hcservices.ecourts.gov.in/hcservices/>
2. By consent of both the parties, the main Writ Petition itself is taken up for final disposal.



3.The petitioner was appointed as Gardener in the fourth respondent school. The fourth respondent school is a 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. He is having the requisite qualification. The authorities are 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 fourth 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(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Educational Officer,
Nagercoil, Kanyakumari District.
2. The District Educational Officer,
Kuzhithurai, Kanyakumari District.

+1 cc to Mr.E.V.N.Siva, Advocate in SR No.58225

+1 cc to The Special Government Pleader IN SR No.59043

W.P. (MD) No.4546 of 2018
27.03.2018

tsg

PK/SV-MMS/SAR-4/31.05.2018 : 2P/5C