

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 11.04.2018****CORAM :****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P (MD) No.7848 of 2018****WEB COPY**

Michael

... Petitioner

Vs.

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

2. The Additional Assistant Elementary
Educational Officer,
Melaneelithanallur,
Tirunelveli District.

3. The Correspondent,
R.C.Primary School,
Dharmathurani,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider and pass orders on the written proposal of the 3rd respondent dated 21.02.2018 sent to the 1st respondent through the 2nd respondent for granting approval of the post of the petitioner as secondary grade teacher in the 3rd respondent school from the date of his appointment i.e., from 05.07.2012 within a time frame.

For Petitioner : Mr. D.Venkatesh

For Respondents : Mr.K.Saravanan

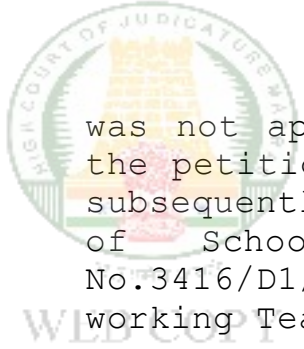
Government Advocate.

ORDER

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents 1 & 2 to consider and pass orders on the written proposal of the 3rd respondent dated 21.02.2018 sent to the 1st respondent through the 2nd respondent for granting approval of the post of the petitioner as secondary grade teacher in the 3rd respondent school from the date of his appointment i.e., from 05.07.2012 within a time frame.

2.Heard Mr.D.Venkatesh, learned counsel appearing for the petitioner and Mr. K.Saravanan, learned Government Advocate appearing for the respondents.

3.The grievance of the petitioner is that he was appointed as a Secondary Grade Teacher on 05.07.2012. However, such appointment



was not approved by the competent authority for the reasons that the petitioner must have qualified with TET examination. However, subsequently, by virtue of the proceedings issued by the Director of School Education, dated 01.03.2017 in proceedings No.3416/D1/2013, such requirement for already appointed and working Teachers was not necessitated.

4. In view of the said decision, the proposal of the petitioner's appointment has once again been forwarded by the third respondent to the first respondent through the second respondent on 21.02.2018. However, the said proposal is yet to be approved.

5. I have heard Mr.K.Saravanan, learned Government Advocate appearing for the official respondents in this regard.

6. In view of the said position that the proposal has already been forwarded by third respondent School regarding the appointment of the petitioner to the first respondent through the second respondent for necessary approval, this writ petition is disposed of with the following direction:

"That the said proposal sent by the third respondent School dated 21.02.2018, shall be considered by the first respondent and orders to that effect with regard to the approval of the appointment of the petitioner shall be passed on merits and in accordance with law by a reasoned order within a period of four weeks from the date of receipt of a copy of this order, if the same is not already considered and decided." No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.
2. The Additional Assistant Elementary
Educational Officer,
Melaneelithanallur,
Tirunelveli District.

+1cc to Mr. D.Venkatesh, Advocate Sr.No.60753

+1cc to The Spl. Government Pleader Sr.No.61026

GSP/RR

VB/SV/MMS/SAR2/14/05/2018/2P/5C

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W.P (MD) No. 7848 of 2018
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