



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.04.2018

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.8973 of 2018

WEB COPY

Nadar Higher Secondary School,
Rep. by its Secretary,
Pandavarmangalam,
Kovilpatti,
Tuticorin District.

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Chennai.

2.The Director of School Education,
Chennai.

3.The Joint Director of School Education (Secondary),
Chennai - 6.

4.The Chief Educational Officer,
Tuticorin.

5.The District Educational Officer,
Kovilpatti,
Tuticorin District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 3rd respondent to sanction one post of lab assistant to the petitioner School by considering the proposal forwarded by the 4th respondent dated 18.12.2017.

For Petitioner : Mr.V.Paneer Selvam
For Respondents : Mr.M.Murugan,
Government Advocate

ORDER

The prayer sought for in this writ petition is for a writ of Mandamus to direct the third respondent to sanction one post of Lab Assistant to the petitioner School by considering the proposal forwarded by the 4th respondent dated 18.12.2017.



2. In order to sanction one post of Lab Assistant at the petitioner School, the petitioner School had given a proposal and the same was forwarded by the fourth respondent on 18.12.2017 and the said proposal, even though having been forwarded on 18.12.2017, the third respondent is yet to pass orders. Therefore, the petitioner School is before this Court.

3. The learned Counsel for the petitioner School would submit that if the said proposal forwarded by the fourth respondent dated 18.12.2017 is directed to be considered by the third respondent, on merits and in accordance with law and an order to this effect is directed to be passed, within a time that may be stipulated by this Court, the petitioner School would be satisfied.

4. I have heard Mr.V.Panneer Selvam, learned Counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate, who takes notice for the respondents.

5. In view of the said innocuous prayer, now that has been sought for the petitioner, with the consent of both the parties, this writ petition is disposed of with the following direction:

"The third respondent is directed to consider the proposal forwarded by the fourth respondent on 18.12.2017, with regard to the request of the petitioner School for sanctioning one new post of Lab Assistant at the said School and pass orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs."

Sd/

Assistant Registrar (Crl side)

/True copy/

Sub Assistant Registrar

To

1.The Secretary,
State of Tamil Nadu,
School Education Department,
Chennai.

2.The Director of School Education,
Chennai.

3.The Joint Director of School Education (Secondary),
Chennai - 6.

4.The Chief Educational Officer,



5.The District Educational Officer,
Kovilpatti,
Tuticorin District.

+1cc to M/s.Special Government Pleader, SR.No. 63038

+1cc to Mr.V.PANNEER SELVAM, Advocate, SR.No.63152

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23.04.2018

GK

KK/SV MMS/07.05.2018/SAR-1/3P-8C