



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.8758 of 2018

and

M.P. (MD) No.8193 of 2018

The Secretary,
Sri Krishnayar Higher Secondary School
Seepalakottai Road,
Chinnamanur,
Theni District.

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai - 600 009.
2. The Director of School Education,
College Road, Chennai - 600 009.
3. The Joint Director of School Education,
College Road, Chennai - 600 009.
4. The Chief Education Officer,
Theni, Theni District.
5. The District Educational Officer,
Uthamapalayam, Theni District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 5th respondent District Educational Officer to approve forthwith the appointment of R.Manimuthupandian as Agriculture-Coolie in the petitioner school w.e.f. 23.02.2018 with all attendant benefits including the arrears of salary and allowance.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.M.Murugan, G.A.

O R D E R

The prayer sought for herein is for a writ of Mandamus, directing the 5th respondent District Educational Officer to approve forthwith the appointment of R.Manimuthupandian as Agriculture-Coolie in the petitioner school w.e.f. 23.02.2018 with all attendant benefits including the arrears of salary and allowance.



2. Heard Mr.K.Prabhu, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate, appearing for the respondents.

3. The learned counsel for the petitioner submits that the petitioner is a recognised aided higher secondary school, where, as per the staff allotment, there is a post called Agriculture Coolie. For the said post, one R.Manimuthupandian was appointed on 23.02.2018 after having been selected him by following the procedures of calling names from the employment exchange/conducting interview and evaluating the performance. The said appointment dated 23.02.2018 was forwarded by the petitioner school on the same day to the fifth respondent for approval. However, the said proposal is still pending as no approval was forthcoming. Therefore, the petitioner is before this Court seeking direction to the respondents to consider the said proposal sent by the petitioner school and pass orders thereon, within a time frame stipulated by this Court.

4. I have heard the learned Government Advocate appearing for the respondents, who would submit that the proposal dated 23.02.2018 sent by the petitioner school to the fifth respondent shall be considered on merits and in accordance with law and an order to that effect shall be passed, within a time frame that may be fixed by this Court.

5. In view of the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The fifth respondent is hereby directed to consider the proposal submitted by the petitioner dated 23.02.2018 regarding the appointment of one R.Manimuthupandian as Agriculture Coolie w.e.f. 23.02.2018 in the sanctioned vacancy and pass orders thereon, on merits and in accordance with law and pass orders, within a period of six weeks from the date of receipt of a copy of this order".

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar



To

1. The Secretary to Government of Tamil Nadu
Department of School Education,
Fort St. George, Chennai - 600 009.

2. The Director of School Education,
College Road, Chennai - 600 009.

3. The Joint Director of School Education,
College Road, Chennai - 600 009.

4. The Chief Education Officer,
Theni, Theni District.

5. The District Educational Officer,
Uthamapalayam, Theni District.

+1cc to Mr.K.Prabhu, Advocate Sr.No.62980

+1cc to The Spl. Government Pleader Sr.No.62779

ARUL

VB/RSK/SAR2/27/04/2018/3P/8C

W.P (MD) No.8758 of 2018
20.04.2018