



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12885 of 2018

J.Roselet

... Petitioner

Vs.

1. State of Tamil Nadu
represented by its Secretary to Government,
Secretariat, Fort St. George,
Chennai - 09.
2. The Director of Elementary Education,
College Road, Chennai - 6.
3. The District Elementary Educational Officer,
Thoothukudi.
4. The Correspondent,
T.N.D.T.A.Primary School,
North Amuthunnakudi,
Sattankulam - 628 704,
Thoothukudi 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 to approve the petitioner's appointment as Secondary Grade Teacher in 4th respondent school from 29.07.2017 and to pay all the service and monetary benefits within stipulated time by considering the proposal sent by the 3rd respondent dated 09.08.2017 in the light of the judgment in Writ Appeal (MD) Nos.639 of 2015, (batch) dated 17.06.2015.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.D.Muruganantham, AGP

O R D E R

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents to approve the petitioner's appointment as Secondary Grade Teacher in 4th respondent school from 29.07.2017 and to pay all the service and monetary benefits



within stipulated time by considering the proposal sent by the 3rd respondent dated 09.08.2017 in the light of the judgment in Writ Appeal (MD) Nos.639 of 2015, (batch) dated 17.06.2015.

2. Heard Mr.T.A.Ebenezer, learned counsel for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3. The learned counsel appearing for the petitioner would submit that the petitioner was appointed as Secondary Grade Teacher in a sanctioned vacancy at the fourth respondent school on 29.07.2017. From the said date of appointment, the petitioner has been working at the fourth respondent school. The said appointment proposal has been sent by the fourth respondent school on 09.08.2017 to the third respondent for approval. However, so far, the approval has not been given. Hence, the petitioner is before this Court.

4. I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the official respondents, who would submit that the said proposal sent by the fourth respondent school would be considered on merits and in accordance with law and an order to that effect with regard to the approval of the appointment of the petitioner would be passed, within a time frame that may be fixed by this Court.

5. Considering the said submissions made and the limited scope of the writ petition, this writ petition is disposed of with the following direction:

"The third respondent is directed to consider the appointment proposal sent by the fourth respondent school on 09.08.2017 with regard to the appointment of the petitioner as Secondary Grade Teacher at the fourth respondent school from 29.07.2017 and pass orders thereon, 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.

Sd/-
Assistant Registrar(AS)

/True Copy/



To

1. The Secretary to Government,
State of Tamil Nadu
Secretariat, Fort St. George,
Chennai - 09.
2. The Director of Elementary Education,
College Road, Chennai - 6.
3. The District Elementary Educational Officer,
Thoothukudi.

+ 1 cc TO Mr.T.A.Ebenezer , Advocate in SR No. 68592
+ 1 cc TO The Special Government Pleader in SR No. 68647

Arul

AE/SV MMS/SAR1/28.06.2018/3P/6C

W.P(MD)No.12885 of 2018
18.06.2018