



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16491 of 2018

and

W.M.P. (MD) No.14613 of 2018

Senthil Kumari

... Petitioner

Vs.

1. The Chief Educational Officer,
Dindigul District.
2. The District Educational Officer,
Batlagundu, Dindigul District.
3. The Secretary,
N.S.V.V.Girls Higher Secondary School,
Pattiveeranpatti, Dindigul District.

4.Gowsalya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to promote and approve the petitioner as P.G.Assistant (Maths) in the vacancy caused due to the retirement of Mrs.Malathy in third respondent school by considering the petitioner's representation dated 04.06.2018 within a stipulated time.

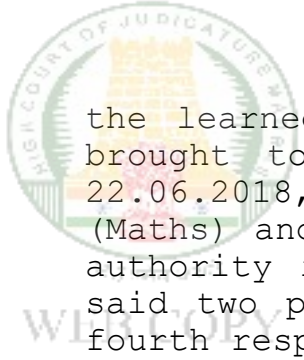
For Petitioner : Mr.T.A.Ebenezer
For R1 and R2 : Mrs.S.Srimathy
Special Government Pleader
For R3 : Mr.N.Dilip kumar

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the respondents to promote and approve the petitioner as P.G.Assistant (Maths) in the vacancy caused due to the retirement of Mrs.Malathy in third respondent school by considering the petitioner's representation dated 04.06.2018 within a stipulated time.

2.Heard Mr.T.A.Ebenezer, the learned counsel appearing for the petitioner, Mrs.S.Srimathy., learned Special Government Pleader appearing for the respondents 1 and 2 and Mr. N.Dilipkumar, learned counsel appearing for the third respondent.

3.Though the petitioner has filed this writ petition for the prayer of mandamus to consider her application for promotion to the post of P.G.Assistant (Maths) at the third respondent school,



the learned counsel appearing for the third respondent school has brought to the notice of this Court that, by proceeding dated 22.06.2018, the fourth respondent was appointed as P.G.Assistant (Maths) and the said appointment has been approved by the competent authority i.e., second respondent on 24.07.2018. A photocopy of the said two proceedings i.e., appointment as well as approval of the fourth respondent, has been produced before this Court.

4. In view of the said appointment having been made at the third respondent school appointing the fourth respondent as P.G.Assistant (Maths) and also the said appointment having been approved by the second respondent, the prayer sought for herein, by way of mandamus cannot be considered at this juncture. Hence, this writ petition is dismissed, with liberty to the petitioner to challenge the said order of appointment made against the fourth respondent.

5. With this observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Chief Educational Officer,
Dindigul District.
2. The District Educational Officer,
Batlagundu, Dindigul District.

+1CC to M/s.T.A.Ebenezer, Advocate, SR.No.75210
 +1CC to Mr.N.Dilip kumar, Advocate, SR.No. 75484
 +1CC to the Special Government Pleader SR.No.75385

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26.07.2018

RMI

ES/SKN/RSK/SAR 4/11.08.2018/2P/6C