

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7072 of 2018

T.R.Gerald Arockiaraj

... Petitioner

vs

1.The Chief Educational Officer,
Thiruvallur,
Thiruvallur District.

2.The District Educational Officer,
Thiruvallur,
Thiruvallur District.

3.The Correspondent,
Don Bosco Higher Secondary School,
Pannur - 602 108,
Thiruvallur Taluk and District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to call for records to directing the 2nd respondent to pass order in the resubmitted proposal submitted by the third respondent on 02.03.2018 for approval of the appointment of the petitioner as Computer Instructor/Teacher with effect from 01.08.2013 and give all other monetary benefits.

For Petitioner : Mr.P.Ganesan

For Respondents: Mr.A.Raja Perumal

Additional Government Pleader

ORDER

The proposal submitted by the third respondent school seeking for approval of the appointment of the writ petitioner in a sanctioned post of Computer Instructor/Teacher has not been considered. Thus the writ petitioner is constrained to move the present writ petition.

2. The learned counsel for the writ petitioner submit that the writ petitioner passed B.Sc Computer Science during the year

2008 in a regular stream and further passed B.Ed also. The petitioner is fully qualified for appointment to the post of Computer Instructor/Teacher in the Education Department. The petitioner was appointed by the third respondent management in a sanctioned post of Computer Teacher. Since, there is no relaxation for the order of appointment issued in favour of the writ petitioner as on 01.08.2013, the earlier proposal sent by the third respondent management, with regard to the appointment of third respondent was returned on account of certain defects in the application. The learned counsel for the petitioner states that the defects noted by the respondents 1 and 2 were rectified and the revised proposals had already been submitted before the second respondent for reconsideration and the said proposal is still pending.

3. This being the factum of the case, without going into the merits of the matter, the second respondent is directed to consider the proposals submitted by the third respondent on 02.03.2018 and pass orders on merits and in accordance with law, within a period of 12 week from the date of receipt of a copy of this order.

4. Accordingly the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dua/nsd

To

1.The Chief Educational Officer,
Thiruvallur, Thiruvallur District.

2.The District Educational Officer,
Thiruvallur, Thiruvallur District.

+1cc to the Government Pleader Sr.14123

+1cc to Mr.P.Ganesan, Advocate Sr.13844

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rv[co]
srg 14/03/2019