

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12-02-2019

CORAM

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

W.P.No.5810 of 2018

And

W.M.P.Nos.7145 and 7795 of 2018

Mrs.G.Hemalatha

..Petitioner

- Vs. -

- 1.The Secretary,
School Education Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-19.
- 2.The Director of School Education,
College Road,
DPI Campus,
Chennai-600 006.
- 3.The Chief Educational Officer,
Saidapet,
Chennai-600 015.
- 4.The District Educational Officer,
Chennai South,
Egmore,
Chennai-600 008.
- 5.The Correspondent,
Karnadaga Sanga Higher Secondary School,
No.111, Habibulla Road,
T.Nagar,
Chennai-600 017.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to grant approval of the petitioner's appointment as Teacher in Higher Secondary Classes, the fifth respondent Minority Aided School.

For Petitioner : Mr.Thenmozhi Shiva Perumal

For Respondents : Mr.A.Raja Perumal,
Additional Government Pleader.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 4 to grant approval of the petitioner's appointment as teacher in the Higher Secondary Classes, in the fifth respondent Minority Aided School.

2. The learned counsel for the writ petitioner states that the writ petitioner sent a representation to the competent authorities on 28.1.2018 to grant approval for her appointment issued in proceedings dated 23.7.2010.

3. The learned Additional Government Pleader, appearing on behalf of respondents 1 to 4, objected the contentions raised on behalf of the writ petitioner, by stating that the fifth respondent-School has not sent any such proposal, enabling the Education Authorities to consider the case of the writ petitioner.

4. This Court is of an opinion that in the absence of any such proposal by the fifth respondent, the authorities competent would not be in a position to consider the case of the writ petitioner. The fifth respondent/School must send a proposal to the authorities to consider the claim of the writ petitioner.

5. This being the factum of the case, the writ petitioner may approach the fifth respondent-School for the purpose of sending proposal, seeking approval of appointment. In the event of receiving any such proposal from the fifth respondent-School, then the competent authorities of the Education Department shall consider the representation submitted by the writ petitioner on 28.1.2018 and pass orders on merits and in accordance with law.

6. With the above observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

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+1cc to Mrs.Thenmozhi Shivaperumal, Advocate Sr.12496

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srg 5/3/2019