

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.12004 of 2019

V. Mahalakshmi

..Petitioner

vs

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai- 600 006.

2. The District Educational Officer,
Kallakurichi, Villupuram District

3. The Block Educational Officer,
Chinnasalem,
Villupuram District.

4. The Secretary,
Azath Middle School,
Mettupalayam,
Chinnasalem Union,
Chinnasalem Taluk,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus or any other appropriate writ, order or direction in the nature of writ directing the respondents 1 to 3 to approve the appointment of petitioner in the post of Secondary Grade Teacher in the 4th respondent School from the date of appointment on 17.10.2018 with all consequential and other attendant benefits, by considering the proposal forwarded by the 4th respondent school dated 31.10.2018, within a time frame fixed by this Hon'ble Court and to pass further or other orders.

For Petitioner : Mr. S. Nedunchezhiyan
For Respondents : Mr. A. Rajaperumal,
Additional Government Pleader

O R D E R

The case of the petitioner is that the petitioner qualified with Diploma in Teacher Education (D.T.Ed.,) as well as M.A., and B.Ed., and eligible for appointment to the post of Secondary Grade Teacher and Assistant Teacher. While he deployed for the appointment in the field of education, the 4th respondent is a Religious Minority Institution, receiving grant-in-aid from State Government and it is a Government Aided School. The 4th respondent appointed the petitioner after the retirement of incumbent on 31.05.2018 in the existing vacancy. Immediately after the appointment order, the petitioner joined the School on same day i.e., 17.10.2018. Subsequently the School Management has forwarded proposal to the 2nd respondent viz., DEO, Kallakurichi, Villupuram District on 31.10.2018 with requisite documents. Further, the proposal forwarded by the 3rd respondent school dated 31.10.2018 has also forwarded by the 2nd respondent to the 1st respondent vide proceedings in Na.Ka.No.1087/A1/2018 dated 26.11.2018 seeking approval. However till date approval was not considered by the second respondent as against the inaction the present Writ Petition is filed.

2. The learned counsel for the petitioner would submit that without expressing any opinion on the merits of the case, this court may issue direction to the second respondent to pass orders on the proposal sent by the school management dated 30.10.2018 which was forwarded by the 3rd respondent on 31.10.2018 and 2nd respondent on 26.11.2018.

3. The learned counsel for the respondent concedes with the limited request made by the learned counsel for the petitioner for considering the proposal forwarded by the second respondent to the 1st respondent in accordance with law.

4. Considering the facts and circumstances of the case, I am inclined to issue direction to the 1st respondent to dispose of the proposal of the school management forwarded by the second respondent in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

mrn

To

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai- 600 006.

2. The District Educational Officer,
Kallakurichi, Villupuram District

3. The Block Educational Officer,
Chinnasalem,
Villupuram District.

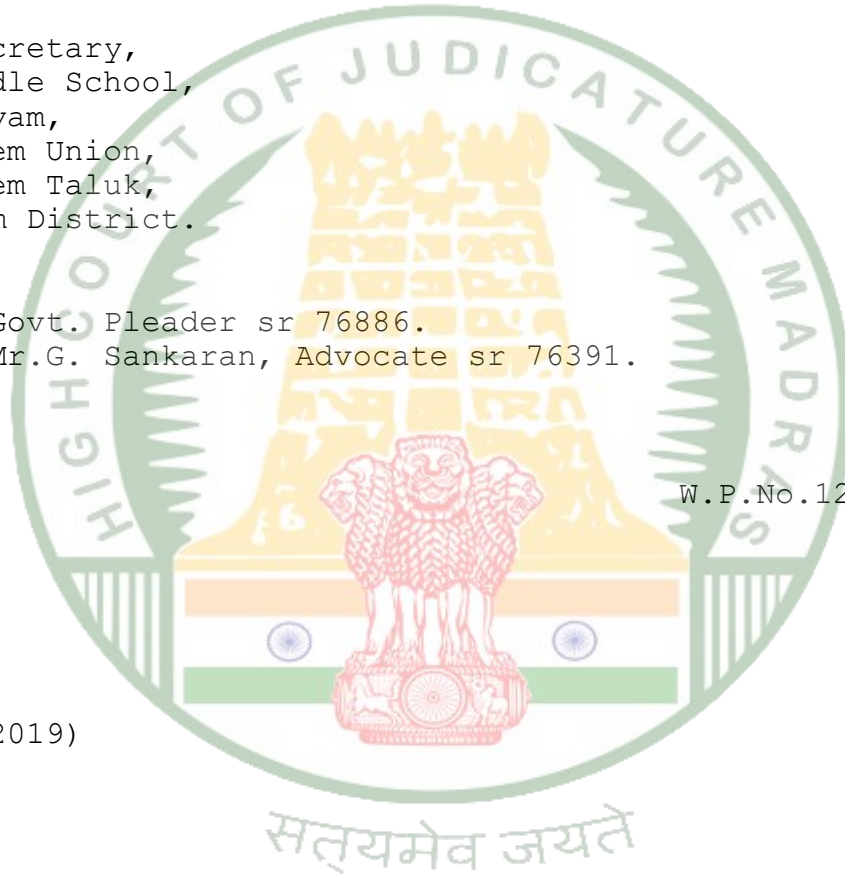
4. The Secretary,
Azath Middle School,
Mettupalayam,
Chinnasalem Union,
Chinnasalem Taluk,
Villupuram District.

+1 CC to Govt. Pleader sr 76886.

+1 CC to Mr.G. Sankaran, Advocate sr 76391.

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RSI (CO)
SP(03/10/2019)



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