

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.15401 of 2019
and W.M.P.No.15361 of 2019

S.Alice Mary

..Petitioner

vs

1.The State of Tamil Nadu
Rep. by its Principal Secretary
Department of School Education
Fort. St. George, Chennai-600 009.

2.The Department of Higher Education
Government of Tamil Nadu
EVK Sampath Buildings
College Road, Chennai-600 006.

3.The District Educational Officer
No.301, Collectorate Campus
Salem-636 001.

4.The Correspondent
The Little Flower Hr. Sec. School
Salem - 636 007.

5.The Manager
R.C.Schools
The Salem Diocese Society
Mary Palace 63
Thammannan Road, Salem-636 009.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to approve the appointment of the petitioner as P.G. Assistant (English) with effect from 07.06.2017 in the vacant post caused due to retirement of one Mr.Joseph Johnson in the 4th respondent school with all monetary benefits.

For Petitioner : Mr.A.Vijayakannan

For Respondents : Mr.C.Munusamy
Special Government Pleader

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the 3rd respondent to approve the appointment of the petitioner as P.G. Assistant (English) with effect from 07.06.2017 in the vacant post caused due to retirement of one Mr.Joseph Johnson in the 4th respondent school with all monetary benefits.

2. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that she passed B.A. degree course in English from Annamalai University in the year 2009. The petitioner applied for M.A. Degree course in English during the Academic year 2010-2011 and completed one year of study. In the meanwhile, the petitioner got an opportunity to do B.Ed., regular course during the academic year 2011-2012. Thereafter, the petitioner completed the B.Ed. degree course on 24.05.2012 and continued the study of M.A. degree course and completed in December 2012. According to the petitioner, she has completed both the M.A. degree and B.Ed. degree courses in the year 2012. Thereafter, the petitioner was appointed as P.G. Assistant in the 4th respondent school by the 5th respondent. The 4th respondent submitted the proposal to the respondents 2 and 3 seeking approval of the appointment of the petitioner. The 3rd respondent reverted the proposal that the petitioner has completed both M.A. degree and B.Ed. degree courses in the same year. Thereafter, the petitioner has made a representation to the 5th respondent on 02.05.2019 to consider her representation seeking approval of her appointment and continuity of service. However, the petitioner's representation was not considered by the respondents till date. Hence this writ petition.

4. Learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the 3rd respondent to consider the petitioner's

representation and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 3rd respondent to consider the petitioner's representation dated 02.05.2019 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The State of Tamil Nadu
Rep. by its Principal Secretary
Department of School Education
Fort. St. George, Chennai-600 009.

2.The Department of Higher Education
Government of Tamil Nadu
EVK Sampath Buildings
College Road, Chennai-600 006.

3.The District Educational Officer
No.301, Collectorate Campus
Salem-636 001.

+1cc to Mr.A.Vijayakannan , Advocate SR.No. 83097

+1cc to M/s.Father xavier Associates , Advocate SR.No. 98128
(25/11/2019)

W.P.No.15401 of 2019
and W.M.P.No.15361 of 2019

A.SK(21/11/2019)