

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16971 of 2019

And

W.M.P.No.16531 of 2019

Mr.S.Issac Vijay Anand

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 9.
- 2.The Director of School Education,
DPI Campus, College Road, Chennai - 6.
- 3.The Chief Educational Officer,
Cuddalore, Cuddalore District.
- 4.The District Educational Officer,
Viruddhachalam 606 001.
- 5.The Correspondent,
Danish Mission Hr.Sec. School,
Pudukuppam, Virudhachalam 606 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pass order in the proposal of the fifth respondent for approval of the appointment of the petitioner with effect from 16.11.2016 and to extend all benefits both service and monetary thereto.

For Petitioner : Ms.T.Dharani

For Respondents: Mr.P.Raja for R1 to R4
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents to pass order in the proposal of the fifth respondent for approval of the appointment of the petitioner with effect from 16.11.2016 and to extend all benefits both service and monetary.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for respondents 1 to 4.

3. The case of the petitioner is that pursuant to a Notification calling for aspirants to the post of Physical Education Teacher in the fifth respondent School, the petitioner was subjected to selection as contemplated in the Rules and was appointed on 16.11.2016 in strict

adherence to the existing vacancy in the place of one Mr. Nova Edin Buro Kirubakaran. Thereafter, the fifth respondent sent request to the fourth respondent to approve the appointment of the petitioner in the post of Physical Education Teacher with effect from 16.11.2016, however, till date the petitioner's appointment was not approved. Hence, this petition.

4. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues a direction to the respondents to consider and pass appropriate orders on proposal of the fifth respondent dated 27.11.2016 for approval of the appointment of the petitioner with effect from 16.11.2016, within a reasonable time frame.

5. Considering the facts and circumstances of the case, I am inclined to issue direction to the respondents to consider the proposal of the fifth respondent dated 27.11.2016 for approval of the appointment of the petitioner with effect from 16.11.2016, on merits and in accordance with law and pass appropriate orders, 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, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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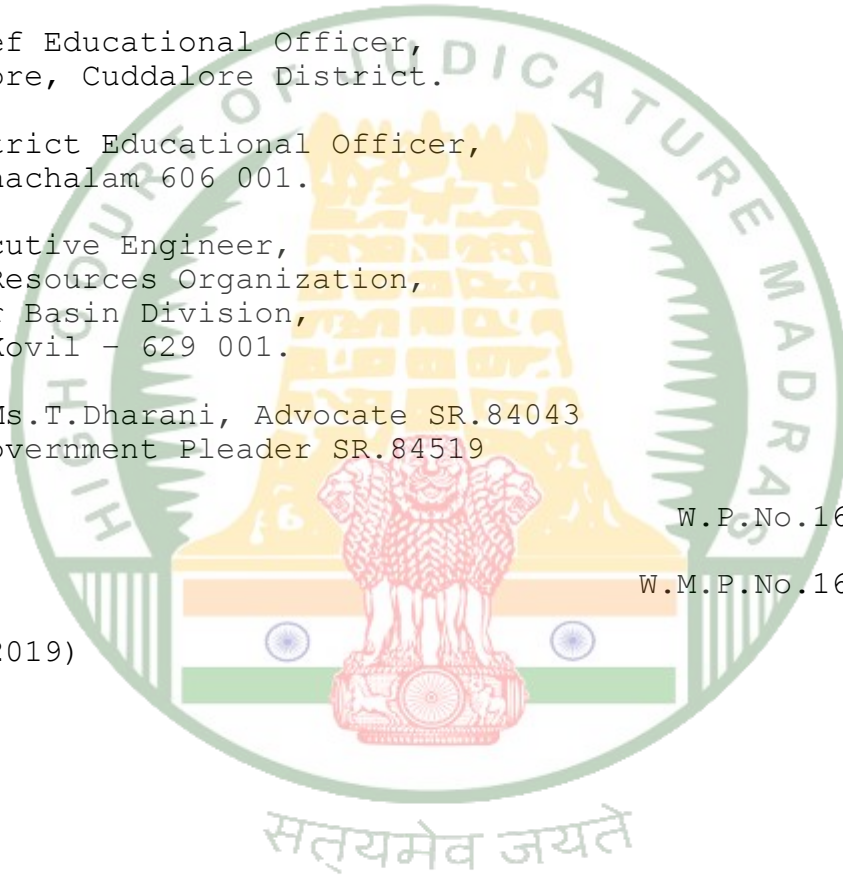
To

- 1.The Secretary,
Department of School Education,
Fort St.George,
Chennai - 9.
- 2.The Director of School Education,
DPI Campus, College Road, Chennai - 6.
- 3.The Chief Educational Officer,
Cuddalore, Cuddalore District.
- 4.The District Educational Officer,
Viruddhachalam 606 001.
- 5.The Executive Engineer,
Water Resources Organization,
Kodayar Basin Division,
Nagar Kovil - 629 001.

+1cc to Ms.T.Dharani, Advocate SR.84043
+1cc to Government Pleader SR.84519

W.P.No.16971 of 2019
And
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MG (CO)
CB(12/11/2019)



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