

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26455 of 2019

N.P.Ramasamy Naidu

Secretary,

Sri Ram Aided Elementary School,

Vasanthapuram,

Nadanthai,

P.Velur Taluk,

Namakkal District - 637 206.

.. Petitioner

Vs.

1.The Director of School Education,

DPI Compound,

Nungabakkam, Chennai,

Tamilnadu.

2.The District Elementary Educational Officer,

District Elementary Educational office,

Namakkal District.

3.The Block level Elementary Educational Officer,

Office of the Block Level Elementary Educational Office,

Paramathi Taluk,

Namakkal District.

4.K.Rajathi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to grant approval for having appointed the fourth respondent to the post of Secondary Grade Teacher under SC Arundhatiyar Community namely by considering the representation of the petitioner dated 18.06.2018 within stipulated time.

For Petitioner : Mr.N.Umapathi

For R1 to R3 : Mr.C.Munusamy

Special Government Pleader

ORDER

This writ petition is filed seeking direction, directing the 1st respondent to grant approval for having appointed the fourth

respondent to the post of Secondary Grade Teacher under SC Arundhatiyar Community namely by considering the representation of the petitioner dated 18.06.2018 within stipulated time.

2.The case of the petitioner is that since two teachers from the petitioner school were retired from service, the petitioner school management sent a letter to the Block Level Elementary Educational Officer on 21.08.2012, 02.02.2015 and 18.09.2015 for granting permission to fill up the posts. Since, no reply has been received, the Petitioner management issued paper publication calling upon the eligible candidates for appointment to the post of Secondary Grade Teacher in Daily Thanthi dated 04.10.2017. The management had conducted interview on 09.12.2017 to the candidates and the school committee appointed one K.Rajathi on 16.12.2017. The appointment of K.Rajathi was forwarded to the respondents 1 to 3 for approval.

3.The learned counsel for the petitioner further submitted that the respondent by letter dated 01.03.2018 had granted permission to the petitioner to fill up the post from the surplus teachers working in various schools. The petitioner school by their letter dated 07.04.2018 objected the contention of the respondent to fill up the posts from the surplus teachers in the various schools. The petitioner made representation to the respondent dated 18.06.2018 again, seeking approval for the appointment of K.Rajathi in the vacant place. Since, the same was not considered by the respondent, this writ petition came to be filed.

4.Considering facts and circumstances of this case, without expressing any opinion, I am inclined to issue direction to the second respondent to consider the petitioner's representation dated 18.06.2018, if not disposed already within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Education,
DPI Compound,
Nungabakkam, Chennai,
Tamilnadu.

2.The District Elementary Educational Officer,
District Elementary Educational office,
Namakkal District.

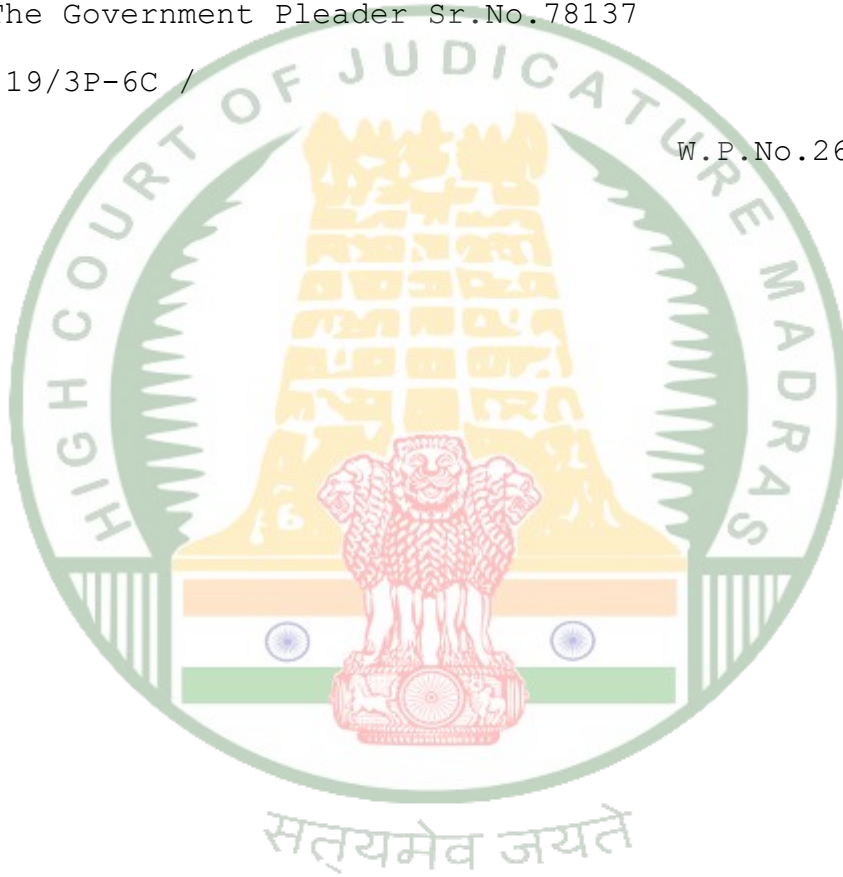
3.The Block level Elementary Educational Officer,
Office of the Block Level Elementary Educational Office,
Paramathi Taluk,
Namakkal District.

+1 cc to M/s.N.Umapathi,Advocate Sr.No. 77208

+1 cc to The Government Pleader Sr.No.78137

AKM/16.10.19/3P-6C /

W.P.No.26455 of 2019



WEB COPY