

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27307 of 2019

N.Paramasivan

..Petitioner

-Vs-

1.The Principle Secretary to Government
School Education Department
Fort St.George, Chennai - 600 009

2.The Director of School Education
DPI Compound, College Road
Chennai - 600 006

3.The District Educational Officer
Chennai East, Chennai - 600 015

4.The Chief Educational Officer
Chennai - 600 015

5.The Secretary
Sir Theagaraya College
Higher Secondary School
Chennai - 600 021.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 5th respondent to resubmit the proposal for the approval of Petitioner appointment and consequently direct the 3rd Respondent to sanction the approval of the post of Library Attender with effect from 03.04.2017 and other monetary service benefits to the petitioner.

For Petitioner : Mr.P.Manikannan

For Respondent : Mr.C.Munusamy
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to direct the 3rd respondent to sanction the approval of the post of Library

Attender with effect from 03.04.2017 and other monetary service benefits to the petitioner.

2. The case of the petitioner is that he was appointed as a Sweeper on 26.02.1993 in the 5th respondent School on regular pay of service and also rendered a service with fullest satisfaction of the superiors. Thereafter, one Library Attender post become vacant. As per the Rules in force the appointment to the post of Library Attender is made by only seniority.

3. In view of the above vacant, the petitioner submitted representation to the 5th respondent requesting for the appointment to the post of Library Attender on 30.03.2017. Accordingly, the 5th respondent sent a proposal to the 3rd respondent for approval of the petitioner's appointment as a Library Attender. The 3rd respondent by letter dated 16.06.2017 returned the proposal for certain compliance. After compliance of such, the 5th respondent re-submitted the proposal to the 3rd respondent. On 18.09.2018, once again the same was returned stating that as per G.O.Ms.No.64, School Education dated 03.04.2018 the post of Librarian, Library Attender, Gardener and Waterman are sanctioned and granted approval to the aided schools but the said posts were not allotted/sanctioned to the Government High Schools and Higher Secondary Schools.

4. On 22.02.2019, the 5th respondent re-submitted proposal to the 3rd respondent. Thereafter, the petitioner also made representation to the 3rd respondent on 27.02.2019, till date the proposal was not considered. Hence the Writ Petition is filed.

5. The learned counsel for the petitioner would submit that it would be suffice to issue directions to the respondents to dispose of the representation in accordance with law.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representation dated 27.02.2019 in the light of the proposal dated 22.02.2019, 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. No costs.

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Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government
School Education Department
Fort St.George
Chennai - 600 009

2.The Director of School Education
DPI Compound
College Road
Chennai - 600 006

3.The District Educational Officer
Chennai East
Chennai - 600 015

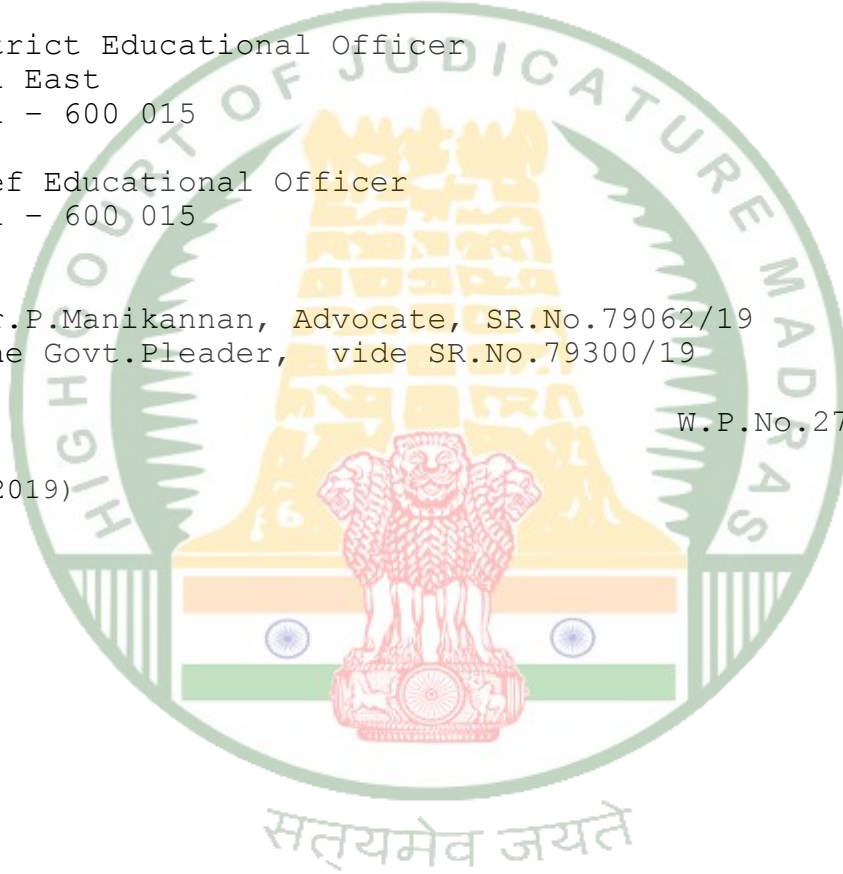
4.The Chief Educational Officer
Chennai - 600 015

+1cc to Mr.P.Manikannan, Advocate, SR.No.79062/19

+1cc to the Govt.Pleader, vide SR.No.79300/19

W.P.No.27307 of 2019

Kak(04/11/2019)



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