

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32288 of 2019 and
W.M.P.No.32579 of 2019

I.Allwin Martin ... Petitioner

Vs.

- 1.The Director of School Education,
College Road, Chennai - 600 009
- 2.The Chief Educational Officer,
Coimbatore, Coimbatore District
- 3.The District Educational Officer,
S.S.Kulam, Coimbatore District
- 4.The Correspondent,
St.Mary's High School,
Karumathapatty - 641 659,
Coimbatore District ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent Chief Educational Officer herein to approve forthwith the appointment of petitioner as Sweeper in the 4th respondent school namely St.Mary's High School w.e.f., the date of his appointment viz., 01.06.2018, with all attendant benefits including the arrears of salary and allowance.

For Petitioner : Mr.A.Mahesh Nath

For Respondents : Mrs.P.Kavitha,
R1 to 3 Government Advocate

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner is working as Sweeper in the fourth respondent school, a recognized and aided minority school. One post of Sweeper in the school fell vacant on 01.07.2005 due to retirement of one, L.Packiyasay and the petitioner was appointed as Sweeper on

01.06.2018 in the said vacancy. Thereafter, the fourth respondent School forwarded a proposal to the District Educational Officer seeking approval of grant-in-aid towards the salary of the petitioner and the second respondent Chief Educational Officer by proceedings dated 10.09.2018 returned the proposal to the third respondent District Educational Officer asking certain documents, which was thereafter forwarded to the School and after rectifying the defects the proposal was resubmitted, but till date the approval has not been granted. Hence, the petitioner has filed the present petition.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the proposal dated 02.10.2018 and pass orders, within a stipulated time fixed by this Court.

5. Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the second respondent to consider the proposal submitted by the fourth respondent school dated 02.10.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/
Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

1. The Director of School Education,
College Road, Chennai - 600 009

2. The Chief Educational Officer,
Coimbatore, Coimbatore District

3.The District Educational Officer,
S.S.Kulam, Coimbatore District.

4.The Correspondent,
St.Mary's High School,
Karumathapatty - 641 659,
Coimbatore District.

+1cc to Mr.A.Mahesh Nath, Advocate, SR.No.95525.
+1cc to Government Pleader, SR.No.96055

W.P.No.32288 of 2019

GMR (CO)
CSR(19/12/2019)



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