



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 2197 of 2018

E.B.Eva Evans

... Petitioner

Vs

1. The Chief Educational Officer,
Kanyakumari District,
Nagercoil.
2. The District Educational Officer,
Nagercoil,
Kanyakumari District.
3. Ringle Taube Higher Secondary School,
rep. by its Correspondent,
Mylandy - 629 403,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent herein to approve forthwith the appointment of the petitioner as B.T. Assistant (History) in the 3rd respondent-school from 21.09.2015 onwards with salary and other attendant benefits.

For Petitioner : Mr. E. V. N. Siva

For R1 & R2 : Mrs. S. Srimathy

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to approve the appointment of the petitioner as B.T. Assistant (History) in the 3rd respondent-school from 21.09.2015 with salary and other attendant benefits.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for the respondents 1 and 2.

3. The learned counsel for the petitioner submitted that the petitioner had been appointed in the third respondent school in a sanctioned post and the same is not a surplus post. Seeking approval of such appointment, the third respondent school submitted a proposal to the second respondent and the same has been returned seeking certain clarifications. The third respondent school resubmitted the proposal on 09.11.2017 clarifying all the queries. Since no action has been taken so far in respect of approval of the



petitioner's appointment, this writ petition has been filed.

4.The learned Special Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the respondent authorities would consider the proposal sent by the third respondent with regard to approve the appointment of the petitioner and pass appropriate orders, on merits.

5.In view of the above, this Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the case of the petitioner for approval, on the basis of the materials filed and also in the light of the proposal resubmitted by the third respondent on 09.11.2017 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

mj
To

1.The Chief Educational Officer,
Kanyakumari District,
Nagercoil.

2.The District Educational Officer,
Nagercoil,
Kanyakumari District.

+1CC to Mr.E.V.N.SIVA , Advocate SR.No.58287.

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