



EFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.03.2019
CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

WP (MD) No.3553 of 2019
and
W.M.P. (MD) Nos.2777 and 2778 of 2019

D.Rosy

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2.The District Educational Officer,
Thoothukudi District,
Thoothukudi.

3.The Block Development Officer,
Srivaikundam, Thoothukud District.

4.The Correspondent,
T.N.D.T.A. Primary School,
Mangalapuram,
Srivaikundam Range, Thoothuku District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the second respondent in his proceedings in A.T.Mu.No.7556/A2/2018, dated 28.12.2018 and the subsequent proceedings issued by the third respondent in O.Mu.No.1350/A1/2019, dated 08.01.2019 and quash the same and to direct the second respondent to approve the appointment of the petitioner in the post of Secondary Grade Assistant Teacher in the fourth respondent School from the date of appointment on 29.07.2017 by passing orders on the proposal submitted by the fourth respondent, dated 30.07.2017, with all consequential attendant benefits including arrears of salary with interest, within the time frame as may be fixed by this Court.

For Petitioner
For R1 to R3

: Mr.T.Chandrasekaran
: Mrs.S.Srimathy
Special Government Pleader

ORDER

seeking to quash the proceedings of the second and third respondents and consequently to direct the second respondent to



approve the appointment of the petitioner as Secondary Grade Assistant Teacher in the fourth respondent School and for other consequential benefits, the present writ petition has been filed.

2. Heard the learned Counsel appearing on both sides.

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3. The case of the petitioner is that the petitioner has joined as Secondary Grade Assistant Teacher in the fourth respondent school on 29.07.2017. For approving the appointment of the petitioner, the fourth respondent forwarded the proposal to the second respondent. However, by the impugned order, the second respondent returned the proposal sent by the fourth respondent for non-compliance of certain queries thereon. Challenging the same, the present writ petition has been filed with the above prayer.

4. The learned Counsel for the petitioner now submitted that such return was complied with and the fourth respondent re-presented the papers for consideration, after complying with all the queries.

5. In such view of the matter, the learned Special Government Pleader appearing for the official respondents, on instructions, submitted that the said re-representation papers would be considered on merits.

6. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the said re-representation papers / proposal submitted by the fourth respondent, on merits and in accordance with law, and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of, on the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2. The District Educational Officer,
Thoothukudi District,



3.The Block Development Officer,
Srivaikundam, Thoothukud District.

+1 cc to Special Government Pleader, SR.No. 52918

+1. C.C. to M/S.T.Chandrasekaran, Advocate SR.No. 52708

ORDER MADE IN
WP (MD) No.3553 of 2019
08.03.2019

cmr

JM/10.04.2019/3P/6C