



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :01.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
WP(MD)No.4810 of 2019

P.Muthukumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to the Government,
Education Department, Fort Saint George,
Chennai - 600 009.
2. The Director of Elementary Education,
College Road,
Chennai.
3. The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.
4. The District Educational officer,
Srivilliputhur,
Virudhunagar District.
5. Nadar Higher Secondary school,
Represented by its Secretary,
Rajapalayam - 626 117.

... Respondents

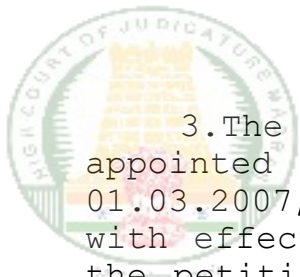
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Nos. 3 and 4 to approve the Petitioner's appointment as Record Clerk in the 5th respondent school namely Nadar Higher Secondary School, Rajapalayam - 626 117 with effect from 01.03.2007 with salary arrears, monetary benefits and service regularisation as per the representation made by the school management dated 19.12.2016 and reminder dated 15.02.2019.

For Petitioner	: Mr.K.K.Kannan
For Respondent	: Mrs.S.Srimathy,
Nos. 1 to 4	Special Government Pleader

ORDER

The prayer in this writ petition is to direct the respondents to approve the petitioner's appointment as per the recommendation of the 5th respondent School and provide him all consequential benefits.

2. Heard the learned Counsel for the petitioner and the learned Special government Pleader appearing for the official respondents. By Consent, this writ petition is taken up for final disposal at the stage of admission itself.



3.The grievance of the petitioner is that though he was appointed under the 5th respondent school as Record Clerk on 01.03.2007, the approval to the said appointment was granted only with effect from 15.12.2010. In this regard, the 5th respondent and the petitioner sent separate representations to the 3rd respondent, requesting to accord approval from the date of the petitioner's appointment, ie., 01.03.2007 and to grant him the consequential benefits. However, no order has been passed so far. Hence, the petitioner has approached this Court.

4.The learned Special Government Pleader appearing for the official respondents submitted that representations sent by the school and by the petitioner would be considered on merits.

5.Under these circumstances, this Court, without going into the merits of the case, directs the 3rd and 4th respondents to consider the representations dated 19.12.2016 and 15.02.2019 on merits and in accordance with law and pass necessary orders, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition is disposed of. No costs.

sd/
Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to the Government,
Education Department, Fort Saint George,
Chennai - 600 009.
2. The Director of Elementary Education,
College Road, Chennai.
3. The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.
4. The District Educational officer,
Srivilliputhur,
Virudhunagr District.

+1 CC to Mr.K.K.KANNAN, Advocate (SR-51156[F] dated 01/03/2019)
+1 CC to SPL GP (SR-51471[F] dated 04/03/2019)

ORDER MADE IN
WP (MD) No.4810 of 2019
01.03.2019