



EFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. [MD] No. 5268 of 2019

A. Ravichandran

: Petitioner

Vs.

1. The Director of School Education,
DPI Compound,
Chennai-600 006. 0

2. The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

3. The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.

4. The District Educational Officer,
Valliyoor,
Tirunelveli District.

5. The Correspondent,
Concordia Higher Secondary School,
Vadakkangulam,
Tirunelveli District.

6. The Administrator,
India Evangelical Lutheran Church (IELC),
No. 47, Eldams Road,
Teynampet,
Chennai-600 018.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the sixth respondent to forward the proposal to the fourth respondent for approving the appointment of the petitioner in promotional post of Headmaster under the fifth respondent School from the date of his appointment in promotional post and disburse salary thereon, along with arrears within a time frame by this Court, in the light of the petitioner's representation dated 27.11.2018.

For Petitioner : Mr. S. Balamurugan

For Respondents 1 to 5 : Mrs. S. Srimathy,

Special Government Pleader

ORDER

The petitioner has come forward with the present Writ Petition seeking a Writ of Mandamus, to direct the sixth respondent to forward the proposal to the fourth respondent for approving his appointment in the promotional post of Headmaster under the fifth



respondent School and disburse salary with arrears, by considering his representation dated 27.11.2018.

2. Mrs.S.Srimathy, learned Special Government Pleader, takes notice on behalf of the respondents 1 to 5.

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3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that he was initially appointed as P.G. Teacher under the fifth respondent school and thereafter, promoted as Headmaster, in the light of the resolution dated 16.04.2018, in a sanctioned vacancy. However, due to certain disputes between the rival parties in the Management, his appointment was not approved, even though it is valid one. Hence, he made a representation dated 27.11.2018 to the sixth respondent to send the proposal to the fourth respondent for approval of his promotion and release salary from the date of his promotion. Since the same has not been considered so far, the petitioner has filed the present Writ Petition for the reliefs stated above.

5. The learned Special Government Pleader for the respondents 1 to 5 submits that the representation of the petitioner dated 27.11.2018 would be considered by the sixth respondent on merits and in accordance with law, within the time stipulated by this Court.

6. Considering the facts and circumstances of the case, without going into the merits of the claim made by the petitioner, the sixth respondent is directed to consider the representation of the petitioner dated 27.11.2018 and forward the proposal to the fourth respondent seeking approval of the petitioner's promotion to the post of Headmaster, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such proposal, the fourth respondent shall take appropriate action on the same, within a period of two weeks thereafter.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(cs-II)

/True Copy/

Sub Assistant Registrar

To

1.The Director of School Education,
DPI Compound,
Chennai-600 006.

2.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.



3.The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.

4.The District Educational Officer,
Valliyoor,
Tirunelveli District.

5.The Administrator,
India Evangelical Lutheran Church (IELC),
No.47, Eldams Road,
Teynampet,
Chennai-600 018.

+1cc to Mr.S.Balamurugan, Advocate, SR.No.52151
+1cc to Special Government Pleader, SR.No.52276

Order made in
W.P.[MD]No.5268 of 2019
Dated: 06.03.2019

SP/29.03.2019/ 3P/8C