



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **06.03.2019**

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P.[MD]No.5270 of 2019

K.S.Prema Anitha

: Petitioner

Vs.

- 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 Correspondent,
Concordia Higher Secondary School,
Vadakkangulam,
Tirunelveli District.
- 6.The Headmaster (In-charge),
Concordia Higher Secondary School,
Vadakkangulam,
Tirunelveli District.
- 7.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 seventh respondent to forward the proposal to the fourth respondent for approving the appointment of the petitioner in sanctioned post of Post Graduate Teacher (Tamil) under the fifth respondent School from the date of her appointment in sanctioned post and disburse salary thereon, along with arrears within a time frame by this Court, in the light of the sixth respondent's representation dated 27.11.2018.

For Petitioner

: Mr.S.Balamurugan

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents 1to6

: Mrs.S.Srimathy,

Special Government Pleader

**O R D E R**

The petitioner has come forward with the present Writ Petition seeking a Writ of Mandamus, to direct the seventh respondent to forward the proposal to the fourth respondent for approving her appointment in the sanctioned post of Post Graduate Teacher (Tamil) under the fifth respondent School and disburse salary with arrears, by considering the representation of the sixth respondent dated 27.11.2018.

2. Mrs.S.Srimathy, learned Special Government Pleader, takes notice on behalf of the respondents 1 to 6.

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 she is working as Post Graduate Teacher (Tamil) in the fifth respondent school, which comes under the administration of India Evangelical Lutheran Church. However, due to certain disputes between the rival parties in the Management, her appointment was not approved, even though she was appointed in a sanctioned vacancy. Hence, the sixth respondent, as Headmaster, made a representation dated 27.11.2018 to the seventh respondent to send the proposal to the fourth respondent for approval of the appointment of the petitioner and release salary from the date of her appointment. 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 6 submits that the representation dated 27.11.2018 would be considered by the seventh 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 seventh respondent is directed to consider the representation of the sixth respondent dated 27.11.2018 and forward the proposal to the fourth respondent seeking approval of the petitioner's appointment to the post of Post Graduate Teacher (Tamil), 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.52153

+1cc to Special Government Pleader, SR.No.52278

Order made in
W.P.[MD]No.5270 of 2019
Dated: 06.03.2019

SP/29.03.2019/ 3P/8C