

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.7707 of 2019**

Suba Jasmine

... Petitioner

Vs.

- 1.The Director of School Education,
D.P.I Campus,
College Road, Chennai - 600 006.
- 2.The District Educational Officer,
District Educational Office,
Kovilpatti,
Thoothukudi District.
- 3.The Block Educational Officer No.II,
Block Educational Office No.2,
Vilathikulam,
Thoothukudi District.
- 4.The Manager,
T.N.D.T.A Primary and Middle Schools,
CSI Thoothukudi - Nazareth Diocese,
Thoothukudi,
Thoothukudi District - 628 001.
- 5.The Correspondent,
T.N.D.T.A Primary and Middle Schools,
CSI Vembar pastorate,
Nagalapuram, Vilathikulam, Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents 1 to 3 herein to approve the appointment of the petitioner as Secondary Grade Assistant in T.N.D.T.A Primary School, Ethiranaipatti, Vilathikulam Talum, Thoothukudi District with effect from 29.07.2017 and confer all monetary benefits to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.S.Bharathy Kannan

For RR 1 to 4 : Mrs.S.Srimathy,
Special Government Pleader.

**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents 1 to 3 to approve the appointment of the petitioner as Secondary Grade Assistant in T.N.D.T.A Primary School, Thoothukudi District with effect from 29.07.2017 and confer all monetary benefits to the petitioner within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader, who takes notice for the respondents 1 to 4. In view of the limited order being passed hereunder, notice to the fifth respondent is dispensed with. By consent, the Writ Petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that she was appointed as a Secondary Grade Assistant in the fourth respondent School and seeking approval of her appointment, the fifth respondent-school submitted a proposal to the respondents 1 and 2 on 20.12.2017. Since no steps have been taken, the fourth respondent sent a reminder to the respondents 2 and 3 on 17.07.2018 along with all necessary enclosures. After several clarifications, the fifth respondent submitted a compliance report along with all necessary enclosures to the third respondent on 04.02.2019. Even after receipt of the same, the respondents 1 to 3 failed to approve her appointment, which necessitated the petitioner to send a detailed representation to the third respondent on 26.02.2019. Since no steps have been taken so far, the petitioner has filed the present Writ Petition.

4. The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner would be considered on merits.

5. In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the petitioner to submit a copy of the representation, dated 26.02.2019 along with all enclosures to the second respondent, who in turn, shall consider the same, seeking to approve her appointment in a sanctioned post, and pass appropriate orders on merits and in accordance with law, after affording due 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, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

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To

1.The Director of School Education,
D.P.I Campus,
College Road, Chennai - 600 006.

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

3.The Block Educational Officer No.II,
Block Educational Office No.2,
Vilathikulam,
Thoothukudi District.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate in SR-58217

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.58669

W.P (MD) No.7707 of 2019
01.04.2019

ps

PK/23.04.2019 : 3P/6C