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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.8556 of 2019

M.Mary Daisy

... Petitioner

vs.

1.The Joint Director of School Education,
(Secondary Education),
Directorate of School Education,
DPI Campus, Chennai- 600 006.

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

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's appeal petition, dated 23.02.2018.

For Petitioner :Mr.R.J.Karthick

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The Writ Petition is filed seeking a direction to the first respondent to pass orders on the petitioner's appeal petition, dated 23.02.2018.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/> The case of the petitioner is that she was appointed as Secondary Grade Teacher in St.Antony's School, M.Saveriarpuram,



Tuticorin District on 02.06.1997 and thereafter, she was promoted and transferred to St. Antony's High School, Siluvaipatti, Tuticorin District as Graduate Assistant Teacher with effect from 02.06.2016. Thereafter, the second respondent herein by proceedings dated 07.11.2017, granted approval. However, the proceedings of the second respondent giving approval from the date of application received by i.e., 30.06.2017, has caused a break in service for the period from 02.06.2016 to 29.06.2017 and the petitioner has also not received the salary for the said period. Hence, challenging the said proceedings dated 07.11.2017, the petitioner has preferred an appeal petition dated 23.02.2018 to the first respondent. Since the same has not been disposed of, the petitioner is before this Court by filing this writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the appeal pending before the first respondent would be disposed of, on merits, within a time frame as fixed by this Court

5. Considering the nature of the relief sought for by the petitioner, without going into the merits of the case, the first respondent is directed to dispose of the appeal, dated 23.02.2018 preferred by the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Joint Director of School Education,
(Secondary Education),
Directorate of School Education,
DPI Campus, Chennai- 600 006.

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



+1 CC to M/s.R.J.KARTHICK, Advocate(SR-60311[F] dated 11/04/2019)

+1 CC to M/s.SPL GP (SR-60618[F] dated 11/04/2019)

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