



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P. (MD) No.9552 of 2019

S.Selvamani

.. Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
School Education Department,
Fort St. George, Chennai - 9.

2.The Director of Elementary Education,
College Road,
Nungambakkam,
Chennai - 636 006.

3.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

4.The Block Educational Officer,
Kuzhithurai,
Kanyakumari District.

5.The District Educational Officer,
Thiruvavarur,
Kanyakumari District.

6.The Correspondent,
Aided Primary School,
Kallupallam,
Idaicode Post,
Kanyakumari District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 4 to approve the petitioner's appointment as Secondary Grade Teacher from the date of appointment that is, from 02.06.1981 with all attendant benefits till the date of the petitioner's retirement in the light of the order of this Court in



prescribed by this Court by considering the representation of the petitioner dated 05.04.2019.

For Petitioner : Mr.S.C.Herold Singh

For R1 to R5 : Mrs.J.Padmavathy Devi
Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to approve the petitioner's appointment as Secondary Grade Teacher from the date of his appointment i.e., from 02.06.1981 with all attendant benefits till the date of the petitioner's retirement, in the light of the order of this Court in W.P(MD). No.9046 of 2007, by considering the representation of the petitioner dated 05.04.2019.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for the respondents 1 to 5. In view of the nature of order, which is going to be passed hereunder, no notice is required to the sixth respondent.

3.The case of the petitioner is that the petitioner was appointed as a Secondary Grade Teacher in the sixth respondent school on 02.06.1981. Seeking approval of appointment, he made a representation to the authorities concerned and the same was rejected. Challenging the same, he filed a writ petition before this Court and the same was allowed with an observation to the effect that the respondents therein are under the legal obligation to grant approval to the appointment of the petitioner. Aggrieved over the same, a writ appeal came to be preferred by the Government and the same was dismissed. Under the said circumstances, the petitioner made a representation to the respondents dated 05.04.2019, seeking approval of his appointment. Since no action is forthcoming till date, the petitioner is before this Court.

4.The learned Special Government Pleader appearing for the respondents 1 to 5 submitted that the petitioner's representation will be considered on merits and appropriate orders be passed by the respondents 1 to 4.

5.In view of the above submission, this Court without going into the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representation dated 05.04.2019 in the light of the order passed in WP(MD)No.9046 of 2007 dated 06.07.2011 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.



6.The writ petition is disposed of with the above direction. No costs.

WEB COPY

// True Copy //

Sd/-

Assistant Registrar

Sub Assistant Registrar(CS)

To

1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 9.

2.The Director of Elementary Education,
College Road, Nungambakkam,
Chennai - 636 006.

3.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

4.The Block Educational Officer,
Kuzhithurai,
Kanyakumari District.

5.The District Educational Officer,
Thiruvarur,
Kanyakumari District.

+1cc to Mr.S.C.HEROLD SINGH, Advocate, SR.No. 62211

W.P.[MD].No.9552 of 2019

MJ

KK/SAR/22.05.2019/ 3P- 7C