



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD)No.13734 of 2016

R.Pushparani

... Petitioner

vs.

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

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.

3.The Chief Educational Officer,
Kanniyakumari District,
Kanniyakumari.

4.The District Educational Officer,
Kuzhithurai, Kanniyakumari District.

5.The Correspondent,
Concordia Higher Secondary School,
Potteti, Theruvukkadaai Post,
Kanniyakumari District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider and dispose of the proposal submitted by the fifth respondent on 02.01.2012 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mrs.S.Srimathy
Special Government Pleader**ORDER**

<https://hcservices.ecourts.gov.in/hcservices/> Petition is filed seeking a direction to the second respondent to consider and dispose of the proposal



submitted by the fifth respondent on 02.01.2012 within a stipulated time as fixed by this Court.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

3. The case of the petitioner is that the fifth respondent school is the aided minority school and due to the retirement of one teacher, one post of B.T.Assistant (Tamil) fell vacant. By the proceedings dated 21.09.2010, the second respondent informed that if the post has been sanctioned to the school earlier to 01.06.1998 and if the teacher is needed in the school, the post could be continued as per his proceedings, dated 26.06.2002 in respect of Tamil teachers. Pursuant to the same, the fifth respondent Management appointed the petitioner as B.T.Assistant (Tamil) on 15.06.2011 and thereafter, made a request to the second respondent on 02.01.2012 for resuming the post to the school as per the proceedings of the second respondent dated 21.09.2010. However, the same has not been considered so far. Hence, the petitioner is before this Court with this writ petition for the aforesaid relief.

4. The learned Special Government Pleader appearing for the respondents would submit that the claim of the petitioner would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

5. In view of the above submission, without going into the merits of the case, the second respondent is directed to consider the proposal submitted by the fifth respondent dated 02.01.2012 and pass appropriate orders, on merits and in accordance with law and also in the light of the proceedings dated 21.09.2010, 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 Secretary to Government,

<https://hcservices.tn.nic.gov.in/hcservices/> Tamil Nadu, School Education Department,

Fort St. George, Chennai - 9.



2.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.

3.The Chief Educational Officer,
Kanniyakumari District,
Kanniyakumari.

4.The District Educational Officer,
Kuzhithurai, Kanniyakumari District.

+1 CC to M/s.T.A.EBENEZER, Advocate(SR-56730[F] dated
26/03/2019)

+1 CC to M/s.SPL GP (SR-57225[F] dated 27/03/2019)

SSL

W.P (MD) No.13734 of 2016

26.03.2019

_KM/ (08.05.2019) 3P 7C