



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P(MD)No.16109 of 2019 and
WMP(MD) .No.12805 of 2019

WEB COPY

D.R. Mercy Monika

... Petitioner

Vs.

1.The Director of School Education,
Directorate of School Education,
DPI Complex College Road,
Chennai.

2.The Joint Director of School Education,
Directorate of School Education,
DPI Complex College Road,
Chennai.

3.Chief Educational Officer,
South SLB Road,
Nagercoil - 629 001.
Kanyakumari District.

4.The District Educational Officer,
South SLB Road,
Nagercoil - 629 001.
Kanyakumari District.

5.The Correspondent,
Home Church Girl High School,
Nagercoil - 629 001.

... Respondents

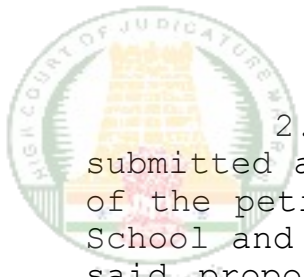
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to approve payment of salary to the petitioner from the date of appointment 01.06.2015.

For Petitioner : Mr. T. Lajapathi Roy

For Respondent : Mrs. S. Srimathy
(R1 to R4) Special Government Pleader

ORDER

This writ petition has been filed for issuing a direction to the respondents 1 and 2 to approve payment of salary to the petitioner from the date of appointment i.e on 01.06.2015.



2. According to the petitioner, the 5th respondent has submitted a proposal to the 4th respondent to approve the appointment of the petitioner as a BT Assistant in the 5th respondent Management School and the same was returned by pointing out some defects in the said proposal. Thereafter, the 5th respondent Management has re-submitted the proposal to the 4th respondent on 26.12.2018 and the same is still pending. Therefore, the petitioner has filed the present Writ Petition.

3. At the time of hearing, the learned counsel appearing for the petitioner submitted that even though a larger relief is sought for in this Writ Petition, it would suffice, if a direction is issued to the 4th respondent to consider and pass orders on the said proposal submitted by the 5th respondent on 26.12.2018.

4. The learned Special Government Pleader appearing for the respondents 1 to 4, on instructions, would submit that the 5th respondent Management re-submitted a proposal and the same is pending before the 4th respondent. He would further submit that the said proposal will be considered by the 4th respondent on merits and in accordance with law.

5. Having regard to the limited scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 4th respondent to consider the proposal re-submitted by the 5th respondent, dated 26.12.2018 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, in any event not later than eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Director of School Education,
Directorate of School Education,
DPI Complex College Road,
Chennai.



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3.Chief Educational Officer,
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4.The District Educational Officer,
South SLB Road,
Nagercoil - 629 001.
Kanyakumari District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-77908[F] dated
26/07/2019)

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24.07.2019

KK/SAR/01.08.2019/3P-6C/