



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21147 of 2019

WEB COPY

Nadar Higher Secondary School,
Represented by its Secretary,
Pandavarmangalam, Kovilpatti,
Tuticorin District.

... Petitioner

-Vs-

1.The Chief Educational Officer,
Tuticorin.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to grant prior permission to fill up the post of B.T. Assistant (Maths) to the petitioner school as per Rule 15(4) of the Tamil Nadu Recognized Private School (Regulation) Rules, 1974 by accepting the proposal recommended and forwarded by the second respondent dated 11.02.2019.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.M.Karuppasamy,
Government Advocate.

ORDER

This Writ Petition is filed for a direction to the first respondent to grant prior permission to fill up the post of B.T. Assistant (Maths) to the petitioner school, as per Rule 15(4) of the Tamil Nadu Recognized Private School (Regulation) Rules, 1974, by accepting the proposal recommended and forwarded by the second respondent, dated 11.02.2019.

2.Mr.M.Karuppasamy, learned Government Advocate takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, due to voluntary retirement of one P.Louis Armstrang, one post of B.T. Assistant (Maths) became vacant in the petitioner's school on 04.04.2018. The petitioner's school sent proposal to the first respondent through the second respondent, to grant prior permission to fill up the post of B.T.



Assistant (Maths) on 22.06.2018, by enclosing all the relevant documents. The said proposal was returned by the second respondent on 25.06.2018, with a direction to resubmit the same, by enclosing 2017-2018 staff fixation report with EMIS report and Rule of reservation register. The petitioner's school has resubmitted the proposal to the first respondent through the second respondent on 15.12.2018, enclosing the documents required by the second respondent. The second respondent has forwarded the said proposal to the first respondent on 11.02.2019. However, the first respondent has not passed any order on the proposal submitted by the petitioner's school. Hence, the petitioner has come out with the present Writ Petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. Considering the nature of relief sought for in the Writ Petition, without deciding the issues on merits, the first respondent is directed to pass orders on the proposal submitted by the petitioner, on merits and in accordance with law, 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 (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

Myr

To

1. The Chief Educational Officer,
Tuticorin.

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

+1CC TO MR.V.PANNEER SELVAM, Advocate Sr. No.91285
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.91345

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CS (CO)

TR (16.10.2019) 2P 5C