



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22172 of 2019

and

W.M.P. (MD) No.18969 of 2019

WEB COPY

The Correspondent,
St.John's Girls Higher Secondary School,
Kodaikanal-624 101, Dindigul District. ... Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.

2.The Director of School Education,
College Road, Chennai-600 009.

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

4.The District Educational Officer,
Batlagundu, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 herein to approve forthwith the appointment of G.Jeevitha as B.T. Assistant in English in the petitioner school w.e.f., the date of the petitioner's appointment viz., 18.07.2018, with salary and all attendant benefits.

For Petitioner : Mr.K.Ragatheesh Kumar,
For M/s.Isaac Chambers.
For Respondents : Mr.M.Karuppasamy,
Government Advocate.

ORDER

This Writ Petition is filed to direct the respondents 3 and 4 to approve forthwith the appointment of G.Jeevitha as B.T. Assistant in English in the petitioner School w.e.f., the date of the petitioner's appointment viz., 18.07.2018, with salary and all attendant benefits.

2.According to the petitioner, one post of Secondary Grade Teacher in the petitioner School fell vacant on 01.06.2018, due to



retirement of then incumbent V.Josephine Jasintha on 31.05.2018. In that vacancy, the petitioner appointed one G.Jeevitha as B.T. Assistant (English) on 18.07.2018. The petitioner has sent the proposal for approval of the appointment of the said G.Jeevitha and for disbursement of grant-in-aid to the third respondent on 10.10.2018, enclosing all the relevant documents. However, the third respondent has not passed any order. When the petitioner met the officials of the respondents 3 and 4, it was orally informed that they would consider the proposal, only after the surplus teachers working in the other Schools in the District are deployed.

3.The learned counsel appearing for the petitioner submitted that there are no surplus teachers in the petitioner School and the proposal submitted by the petitioner School is kept pending without any reason and therefore, the petitioner has come out with the present Writ Petition, seeking for a direction to the respondents 3 and 4 to approve the appointment of G.Jeevitha as B.T. Assistant in English.

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 respondents 3 and 4 are directed to pass appropriate orders on the proposal submitted by the petitioner School dated 10.10.2018, on merits and in accordance with law, within a period of twelve 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-600 009.

2.The Director of School Education,
College Road, Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



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

4.The District Educational Officer,
Batlagundu, Dindigul District.

+1CC TO MR.ISAAC CHAMBERS, Advocate Sr. No.96192
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 96096

W.P. (MD) No.22172 of 2019
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PK (CO)
TR(14.11.2019) 3P 7C