



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22756 of 2019

WEB COPY

V.V.Higher Secondary School
Represented by its Secretary
Ponnamaravathy 622 407
Pudukkottai District

... Petitioner

-Vs-

1.The Chief Educational Officer
Pudukkottai District, Pudukkottai

2.The District Educational Officer
Illuppur, Pudukkottai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to pass orders forthwith on the proposal re-submitted by the petitioner School, dated 08.01.2019 seeking prior permission to fill up the post of B.T Assistant (English) by direct recruitment in terms of Rule 15(4)(1)(c) of the Tamil Nadu Recognized Private School (Regulation) Rules.

For Petitioner : Mr.E.V.N.Siva
For Respondents : Mr.A.Thiyagarajan
Government Advocate

ORDER

The writ petition has been filed for a direction to the 1st respondent herein to pass orders forthwith on the proposal re-submitted by the petitioner School, dated 08.01.2019, seeking prior permission to fill up the post of B.T Assistant (English), by direct recruitment in terms of Rule 15(4)(1)(c) of the Tamil Nadu Recognized Private School (Regulation) Rules.

2.Mr.A.Thiyagarajan, 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.The petitioner school is a recognized private aided School governed by the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act and Rules. In the said School, one post of B.T.Assistant (English) fell vacant from 04.09.2014, due to the death of the previous incumbent Mr.R.M.Saravanan on 03.09.2014. The



petitioner School submitted proposal, dated 18.06.2018 to the first respondent seeking prior permission to fill up the post of B.T.Assistant (English) by direct recruitment in terms of Rule 15(4) (1)(c) of the Tamil Nadu Recognized Private Schools (Regulation) Rules. The second respondent also forwarded the said proposal to the first respondent on 30.10.2018. The first respondent returned the proposal on 26.12.2018 seeking certain documents and the same was communicated by the second respondent, by proceedings in Na.Ka.No.1911/A2/2018, dated 27.12.2018. The petitioner School enclosed the required documents and resubmitted the same on 08.01.2019 and the reminder was submitted on 30.09.2019. But, no order was passed on the said proposal. Hence, the petitioner has come up with the present Writ Petition.

4.Considering the nature of relief sought for in the Writ petition, without deciding the issue on merits, the first respondent is directed to consider the proposal forwarded by the second respondent, dated 27.12.2018 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1. The Chief Educational Officer
Pudukkottai District, Pudukkottai
2. The District Educational Officer
Illuppur, Pudukkottai District

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