



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

WEB COPY

W.P. (MD) No.2381 of 2020

and

W.M.P. (MD) No.2039 of 2020

K.Subbulakshmi

... Petitioner

/vs./

1.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.

2.The District Educational Officer,
Cheranmahadevi Educational District,
Cheranmahadevi, Tirunelveli District.

3.The Secretary,
Chathira Bharathi Girls High School,
Kadayam, Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to approve the petitioner's appointment as Record Clerk as on 12.12.2018 and pay all monetary benefits in the light of the permission granted by the first respondent under Na.Ka.No.9850/A2/2018 dated 15.11.2018.

For Petitioner : Mr.G.Thalaimutharasu
For R-1 & R-2 : Mr.M.Karuppasamy
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed, notice to the third respondent is dispensed with.

2. Though the petitioner has sought for issuance of writ of mandamus to direct the respondents to approve the petitioner's appointment as Record Clerk as on 12.12.2018 and pay all monetary benefits in the light of the permission granted by the first respondent under Na.Ka.No.9850/A2/2018 dated 15.11.2018, in my view, such a decision is to be taken by the first respondent and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.



3. In connection with the petitioner's grievance, the third respondent herein has also submitted a proposal dated Nil (page No.48 of the typed set of papers) to the first respondent seeking for approval of the petitioner's appointment as Record Clerk. Since the grievance of the petitioner as well as the third respondent are one and the same, it would be appropriate to direct the first respondent to consider the representation sent by the third respondent.

4. In the light of the above observations, there shall be a direction to the first respondent to consider the proposal sent by the third respondent dated Nil, on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the third respondent on behalf of the petitioner in the representation and it is for the first respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

- 1.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.
- 2.The District Educational Officer,
Cheranmahadevi Educational District,
Cheranmahadevi, Tirunelveli District.
- 3.The Secretary,
Chathira Bharathi Girls High School,
Kadayam, Tirunelveli District.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-5365[F]

+1 CC to M/s.Special Govt.Pleader (SR-5583[F]

Order made in
W.P. (MD) No.2381 of 2020
10.02.2020

rmk

SDS (18.02.2020) 2P-6C

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