



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2020

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THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

W.P.(MD) No.4503 of 2020

T.Mabel Thanga Vijila

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Tirunelveli.
- 2.The District Educational Officer,
Valliyoar, Tirunelveli District.
- 3.The Block Educational Officer,
Kalakadu, Tirunelveli District.
- 4.The Correspondent,
T.D.T.A. Middle School,
Idayankulam, Tirunelveli District.

... Respondents

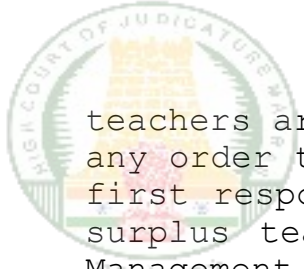
Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to approve the appointment of the petitioner as a Secondary Grade Teacher from the date of appointment i.e. with effect from 05.10.2017 with salary and other monetary benefits.

For Petitioner : Mr.V.Panneer Selvam

For R1 to R3 : Mr.N.Shanmugaselvam,
Additional Government Pleader.**ORDER**

The Writ petition has been filed for a direction to the respondents to approve the appointment of the petitioner as a Secondary Grade Teacher from the date of appointment i.e. with effect from 05.10.2017 with salary and other monetary benefits.

2.The learned counsel for the petitioner would submit that the petitioner was appointed as Secondary Grade Teacher on 05.10.2017 in the permanent and sanctioned post in the fourth respondent School. The Management sent a proposal to the second respondent through the third respondent on 11.10.2017. But, till date the appointment of the petitioner was not approved by the respondents. The respondents 2 and 3 without passing any order orally informed that the surplus



teachers are working in some other schools, but they have not passed any order to that effect. As far as surplus posts are concerned, the first respondent granted permission to the Management to deploy the surplus teachers to the needy and vacancy posts. Accordingly, the Management completed the process and the same was approved by the first respondent by his proceedings in Na.Ka.No.1335/E1/2018, dated 26.06.2019. Without following the first respondent order, the respondents 2 and 3 are simply dragging on the issue by informing that there is surplus teachers in some other Schools and hence, the petitioner is not entitled to get approve his appointment. Aggrieved against the said order, the petitioner is before this Court.

3.The learned Government Advocate appearing for the respondents would state that the proposal will be considered on merits

4.The learned counsel for the petitioner would state that the respondents shall consider the petitioner's representation by taking into consideration the order passed by the first respondent.

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

6.The appointment of the petitioner in the sanctioned post is not disputed. So the petitioner is entitled for approval of the appointment form the date of initial appointment. Therefore, the respondents are directed to consider the proposal, dated 11.10.2017 in the light of the proceedings of the first respondent in Na.Ka.No.1335/E1/2018, dated 26.06.2019 and pass orders, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Chief Educational Officer,
Tirunelveli.

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



3.The Block Educational Officer,
Kalakadu, Tirunelveli District.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-12293[F] dated
18/03/2020)

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16.03.2020

SPU (09.06.2020) 3P-5C