



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.7292 of 2020

Dhanam Middle School,
Rep. by its Correspondent,
P.Stanly, Gandhi Nagar,
Madurai - 20.

... Petitioner

Vs.

1.The District Educational Officer,
Melur, Madurai District.

2.The Block Educational Officer,
Madurai East, Madurai District.

... Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to approve the appointments of Tmt.N.Vinodhini, date of appointment 02.04.2018, Tmt.G.Saranya, date of appointment 04.06.2018 and Tmt.R.Saranya, date of appointment 01.08.2018 as Secondary Grade Teachers, as per the proposals submitted by the petitioner, dated 06.02.2020, with all consequential monetary benefits.

For Petitioner	: Mr.V.Panneer Selvam
For Respondents	: Mr.A.Thiyagarajan
	Government Advocate

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to approve the appointments of Tmt.N.Vinodhini [date of appointment 02.04.2018], Tmt.G.Saranya [date of appointment 04.06.2018] and Tmt.R.Saranya [date of appointment 01.08.2018] as Secondary Grade Teachers, as per the proposals submitted by the petitioner, dated 06.02.2020, with all consequential monetary benefits.

2.According to the learned counsel for the petitioner, the Petitioner School is a minority institution, established in the year 1956. In the Petitioner School, one post of Secondary Grade Teacher became vacant on 01.11.2016 due to promotion of Tmt.Joice Sorooparani. In the said permanent sanctioned vacancy, Tmt.N.Vinodhini was appointed on 02.04.2018. Thereafter, one Tmt.P.Belcia Esther Selvarani was promoted as a Headmaster on 07.06.2017. In the said vacancy, G.Saranya was appointed on



04.06.2018. Subsequently, one Tmt.R.Krithiga was transferred to Srinivasaperumal Aided Elementary School, P.Subbulapuram, on 31.03.2018. In the said vacancy, R.Saranya was appointed on 01.08.2018. As per the staff fixation order of the year 2017-2018, 22 posts were sanctioned and the Students strength was 759. All the above three appointments of Secondary Grade Teachers were made in the permanent sanctioned posts. Therefore, the Petitioner School sent a proposal for approval of appointment to the first respondent on 06.10.2018. The same was returned for want of staff fixation order, dated 01.08.2018. Thereafter, the proposal was resubmitted on 22.10.2019 along with the staff fixation order. However, the staff fixation order for the year 2018-2019 was issued on 02.12.2019. As per the staff fixation order, the Petitioner School is eligible to fill up three Secondary Grade Teacher posts. Therefore, there is no impediment to approve the appointments. Again, the same was returned on 20.01.2020 by the first respondent, for certain queries. Complying the queries, the proposal was resubmitted on 06.02.2020. But, till date, the proposal is pending with the respondents without any approval. Hence, the present Writ Petition.

3.Mr.A.Thiyagarajan, learned Government Advocate appearing for the respondents, on instructions, would submit that the proposal dated 06.10.2018, submitted by the Petitioner School, for approval of appointment of three Secondary Grade Teachers, is still pending with the first respondent and same would be considered by the first respondent and an order to that effect would be passed thereon, on merits and in accordance with law, within a time frame to be fixed by this Court.

4.Recording the abovesaid submission made by the learned Government Advocate appearing for the respondents, this Court directs the first respondent to consider the proposal submitted by the Petitioner School, dated 06.10.2018, and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

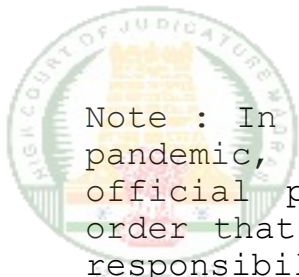
Assistant Registrar

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Sub Assistant Registrar(CS)

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Melur,
Madurai District.

2.The Block Educational Officer,
Madurai East,
Madurai District.

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SMA/17/07/2020/3P/3C