



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2020

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CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.7418 of 2020
and W.M.P. (MD) No.6870 of 2020

S.Senthil Ganesan

... Petitioner

Vs.

1.The Chief Educational Officer,
O/o. The Chief Educational Office,
Thoothukudi District,
Thoothukudi.

2.The District Educational Officer,
O/o. The District Educational Office,
Kovilpatti
Thoothukudi District.

3.The Correspondent,
Raja Higher Secondary School
Ettaiyapuram
Kovilpatti Education Department,
Tuticorin District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent to approve the appointment of petitioner as B.T.Assistant (Tamil) with effect from 14.02.2019 in the 3rd respondent school with all attendant and monetary benefits in the light of the order passed by the 1st respondent vide his proceedings %%.vz;.53/m3/2019 dated 30.01.2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mrs.S.Srimathy for R1 & R2
Special Government Pleader



ORDER

The prayer sought for in this writ petition is to direct the 1st respondent to approve the appointment of petitioner as B.T. Assistant (Tamil) with effect from 14.02.2019 in the 3rd respondent school with all attendant and monetary benefits in the light of the order passed by the 1st respondent vide his proceedings No. W.P. (MD) 53/2019 dated 30.01.2019 within the period that may be stipulated by this Court.

2. Heard Mr. H. Mohammed Imran, learned counsel for the petitioner and Mrs. S. Srimathy, learned Special Government Pleader, who takes notice for the respondents.

3. In the third respondent School, one Tamil Teacher by name A. Maheswari was working, who retired from service on superannuation on 31.10.2018. Therefore, from 01.11.2018, the post became vacant. In order to fill up the said vacant post, prior permission was sought for by the third respondent School from the first respondent, who, by proceedings dated 30.01.2019, has given permission to fill up the said post with certain conditions. Pursuant to the said permission granted by the first respondent, the third respondent School on 14.02.2019, after interview, selected the petitioner and appointed her as B.T. Tamil Pandit at the third respondent School. On 16.04.2019, the third respondent School has sent a proposal to the first respondent through the second respondent for necessary approval with all annexures and necessary documents. However, the said proposal sent by the third respondent School was returned by the proceedings of the first respondent dated 03.10.2019 for rectification of certain mistakes.

4. According to the petitioner, after having rectified those mistakes, the proposal has again been resubmitted to the first respondent through the second respondent by the third respondent School on 17.10.2019. However, so far, no order of approval has been issued and the proposal resubmitted has been kept pending till date. Therefore, the petitioner is before this Court.

5. Since the resubmitted proposal dated 17.10.2019 has so far not been attended to, it seems as no order was forthcoming from the first respondent, no approval seems to have been given so far, this Court is inclined to dispose of this writ petition by passing the following order:

"that the respondent, especially, the first respondent is hereby directed to consider the resubmitted proposal of the third respondent dated 17.10.2019 in respect of the appointment of the petitioner as B.T. Tamil Pandit and pass necessary orders, if the



proposal is in order for grant of approval to the petitioner's appointment. Such needful shall be done within a period of eight weeks from the date of receipt of a copy of this order." No costs. Consequently connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (CS)

// True Copy //

/ / 2020

Sub Assistant Registrar (CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Chief Educational Officer,
O/o. The Chief Educational Office,
Thoothukudi District,
Thoothukudi.
2. The District Educational Officer,
O/o. The District Educational Office,
Kovilpatti
Thoothukudi District.

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