



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.7888 of 2020

K.Christy Jenifer

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Through its Secretary to Government,
School Education Department,
Fort St.George, Chennai-9.
- 2.The Director of School Education,
DPI Campus,
Chennai-6
- 3.The Chief District Educational Officer,
Thoothukudi,
Thoothukudi District.
- 4.The District Educational Officer,
Tiruchendur,
Thoothukudi District.
- 5.The Correspondent,
Margoschis Higher Secondary School,
Nazareth,
Thoothukudi District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the fourth respondent to approve the petitioner's promotion as Lab Assistant in 5th respondent school by disposing the proposal submitted by the 5th respondent on 11.11.2019 and to disburse service and monetary benefits within stipulated time.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mrs.S.Srimathy
Special Government Pleader
for R1 to R4



ORDER

Prayer sought for herein is for a Writ of Mandamus directing the fourth respondent to approve the petitioner's promotion as Lab Assistant in the 5th respondent School by considering the proposal submitted by the 5th respondent, dated 11.11.2019 and disburse the service and monetary benefits.

2.By consent of both sides, this Writ petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed against the fifth respondent, notice to him is dispensed with.

3.Heard Mr.T.A.Ebenezer, learned counsel appearing for the petitioner, who would submit that, the petitioner was originally working as Office Assistant at Tuticorin Victoria Girls Higher Secondary School under the same management, from where, the petitioner has been promoted and posted as Lab Assistant at the fifth respondent School. Accordingly, the promotion proposal has been sent by the fifth respondent School to the official respondent on 11.11.2019. However, the said proposal has not so far been considered and the promotion made to the petitioner as Lab Assistant so far has not been approved. Therefore, the petitioner is before this Court. Hence, the learned counsel appearing for the petitioner would submit that, if a direction is given to the official respondent to consider the said proposal and pass order thereon on merits, the petitioner would be satisfied.

4.Heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents, who would submit that, the proposal dated 11.11.2019 submitted by the fifth respondent School with regard to the promotion given to the petitioner would be considered on merits and in accordance with law, within a time frame and order would be passed.

5.Considering the limited scope of the prayer sought for herein, this Court is inclined to dispose of this writ petition with the following directions :

'that the respondents, especially, the fourth respondent is hereby directed to consider the proposal submitted by the fifth respondent School, dated 11.11.2019, with regard to the promotion of the petitioner as Lab Assistant at the fifth respondent School and pass order thereon, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.'



6.With the above directions, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar(Records)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

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 Secretary,
State of Tamil Nadu,
School Education Department,
Fort St.George, Chennai-9.
- 2.The Director of School Education,
DPI Campus,
Chennai-6
- 3.The Chief District Educational Officer,
Thoothukudi,
Thoothukudi District.
- 4.The District Educational Officer,
Tiruchendur,
Thoothukudi District.

+1 CC to M/s.T.A.EBENESER, Advocate (SR-13190[F] dated 23/07/2020)

W.P.(MD)No.7888 of 2020
23.07.2020

ns (CO)

TR(31.07.2020) 3P 6C