



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.15670 of 2020

and

W.M.P. (MD) .No.13153 of 2020

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The Correspondent,
L.M.S. Higher Secondary School For Girls,
Neyyoor, Kanyakumari District.

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
St. George Fort, Chennai.
2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
3. The Chief Educational Officer
Kanyakumari District at Nagercoil.
4. The District Educational Officer,
Thuckalay,
Kanyakumari District.

... Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to approve the appointment of D.Sam Kumar in the post of P.G. Assistant (Mathematics) from the date of his appointment that is on 01.10.2019 and consequently direct the respondents to disburse monetary and other attendant service benefits, including payment of arrears of salary from the date of appointment that is 01.10.2019 along with interest by considering the proposal resubmitted by the petitioner dated 14.10.2019 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

The Writ Petition is filed seeking a direction to the respondents to approve the appointment of D.Sam Kumar in the post of P.G. Assistant (Mathematics) from the date of his appointment that is on 01.10.2019 and consequently, direct the respondents to



disburse the monetary and other attendant service benefits, including payment of arrears of salary from the date of appointment that is 01.10.2019 along with interest by considering the proposal submitted by the petitioner dated 14.10.2019, within a stipulated time.

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2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that the petitioner School appointed one D.Sam Kumar as P.G. Assistant in Mathematics on 01.10.2019 and sent a proposal to the third respondent, dated 14.10.2019, to approve his appointment. The grievance of the petitioner is that the appointment of the said D.Sam Kumar was not approved and monetary benefits were not disbursed and hence, the proposal was resubmitted on 17.08.2020. Since the same has not been considered so far, the present Writ Petition is filed before this Court.

5. The learned Additional Government Pleader appearing for the respondents submitted that the proposal resubmitted by petitioner on 17.08.2020 would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the respondents are directed to consider the proposal resubmitted by the petitioner on 17.08.2020 seeking to approve the appointment of D.Sam Kumar in the post of P.G.Assistant (Mathematics) and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

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Sub Assistant Registrar(CS)

ls/pm

<https://hcservices.ecourts.gov.in/hcservices/>



To

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St. George Fort, Chennai.
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W.P (MD) No.15670 of 2020

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