

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.871 of 2021
(Heard through VC)

Annai Velankanni Middle School
Government Aided School,
Rep. by its Secretary,
Ennanagaram,
Cuddalore - 608 502.

.. Petitioner

-vs-

1.The District Educational Officer,
Vadalur,
Cuddalore District.

2.The Block Educational Officer,
Keerapalayam.

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the first respondent to consider and pass orders on the proposal submitted by the petitioner school management dated 18.11.2019 and re-submitted on 14.08.2020, with regard to approval of appointment of one Thiru.K.Balamurugan as Headmaster w.e.f. 15.11.2019 with all consequential monetary benefits.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.P.Raja
Government Advocate

O R D E R

The prayer in this writ petition is for a direction to the first respondent to consider and pass orders on the proposal submitted by the petitioner school management dated 18.11.2019 and re-submitted on 14.08.2020, with regard to approval of appointment of one Thiru.K.Balamurugan as Headmaster w.e.f. 15.11.2019 with all consequential monetary benefits.

2. Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner school is an aided primary school. As on date the school is a sanctioned with one Headmaster and one Secondary Grade Teacher post. While so, a vacancy arose for the post of Headmaster due to sudden demise of Tmt.N.Latha, Headmistress. The only Secondary Grade Teacher Tmt.Manju had relinquished the promotion as Headmistress, as she does not have the requisite five years teaching experience for promotion as Headmistress. Hence, the petitioner-school has issued a paper advertisement on 31.10.2019 and also notified the vacancy in the District Employment Exchange. On 11.11.2019, the School committee has conducted an interview and appointed one Thiru.K.Balamurugan as Headmaster by an order dated 15.11.2019. The said Headmaster joined the school on 15.11.2019. Pursuant to his appointment, the petitioner-School submitted a proposal dated 18.11.2019 to the first respondent through the second respondent and it was re-submitted on 14.08.2020 after answering the queries pointed out by the first and second respondents. As there was no action, the petitioner-school has made an appeal to the Chief Educational officer, Cuddalore, who in turn, had directed the first respondent to approve the appointment of the Headmaster. Despite, the direction of the Chief Educational Officer, the first respondent so far has not passed any order on the proposal re-submitted by the petitioner-school. Hence, this writ petition.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the first respondent herein to consider the proposal of the petitioner-school with regard to the approval of appointment of Mr.K.Balamurugan as Headmaster and pass appropriate orders thereon, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rsi

To

1.The District Educational Officer,
Vadalur,
Cuddalore District.

2.The Block Educational Officer,
Keerapalayam.

+1 cc to Mr.S.N.Ravichandran Advocate sr2344

+1 cc to the Government Pleader High Court Madras
sr 3025

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