

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.4643 & 4645 of 2021

S.K.Velayutham Higher Secondary School,
rep. by its Secretary,
Kurinchipadi - 607 302,
Cuddalore District. Petitioner in both W.Ps.

Vs.

1. The Director of School Education,
College Road,
Chennai 600 006.
2. The Chief Educational Officer,
Cuddalore District,
Cuddalore.
3. The District Educational Officer,
Vadalur, Cuddalore District. ... Respondents in both W.Ps.

W.P.No.4643 of 2021: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd Respondent to approve the appointment of Tmt.R.Punitha as B.T. Assistant (English) in the Petitioner School w.e.f. 28.08.2019, with all consequential monetary benefits, by considering the proposal of the Petitioner School, dated 28.08.2019, in the light of the order passed in W.P.No.1949 of 2020, dated 29.01.2020.

W.P.No.4645 of 2021: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd Respondent to approve the appointment of Tmt.S.Surya Prabha as B.T. Assistant (Maths) in the Petitioner School w.e.f. 14.08.2019, with all consequential monetary benefits, by considering the proposal of the Petitioner School, dated 19.08.2019, in the light of the order passed in W.P.No.1949 of 2020, dated 29.01.2020.

For Petitioner in both W.Ps. :Mr.S.N.Ravichandran

For Respondents in both W.Ps.:Mr.P.Raja,
Government Advocate

C O M M O N O R D E R

As the issue involved in the above Writ Petitions is one and the same, cases are taken up for hearing by a common order.

2. According to the Petitioner/School, two vacancies arose for the post of B.T. Assistant (Maths) and B.T. Assistant (English) on 20.06.2019, due to promotion of one K.Velmurugan, B.T. Assistant (Maths) as P.G. Assistant (Accountancy and Commerce) and one V.Arun Dhamodharan, B.T. Assistant (English) as P.G. Assistant (English) on 19.06.2019. Thereafter, the School made requests to fill up the vacant posts of B.T. Assistant (Maths) and B.T. Assistant (English) on 04.07.2019 through the 3rd Respondent, who, by letter dated 04.07.2019, recommended and forwarded the proposal to the 2nd Respondent. By letter dated 11.07.2019, the 2nd Respondent granted permission to fill up the vacant posts.

3. Pursuant thereto, the Petitioner/School sent their proposals to the 2nd Respondent on 28.08.2019 and 19.08.2019, respectively, as regards approval of appointment of one Tmt.R.Punitha as B.T. Assistant (English) w.e.f. 28.08.2019 and approval of appointment of one Tmt.S.Surya Prabha, as B.T. Assistant (Maths) w.e.f. 14.08.2019, in their School, with all consequential monetary benefits. As no action is forthcoming, Petitioner/School has come up with these Writ Petitions seeking the above relief.

4. When the matter is taken up for hearing, learned counsel for the Petitioners submitted that, the approval of appointment of the above two candidates may be directed to be made in the light of the order dated 29.01.2020 passed in W.P.No.1949 of 2020.

5. Heard the learned counsel on either side and perused the material documents available on record.

6. Considering the facts and circumstances of the case, this Court directs the 2nd Respondent herein to approve the appointment of one R.Punitha as B.T. Assistant (English) and one S.Surya Prabha as B.T. Assistant (Maths) in the Petitioner/School by considering the proposals dated 19.08.2019 and 28.08.2019 sent by the Petitioner/School, on merits and in accordance with law, after affording an opportunity of personal hearing to the Petitioner/School, and pass appropriate orders on the same, in the light of the order dated 29.01.2020 passed by this Court in W.P.No.1949 of 2020, if the principle laid down therein is applicable to the Petitioner/School, within a period of two months from the date of receipt of a copy of this order.

With the above direction and observation, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1.The Director of School Education,
College Road,
Chennai 600 006.

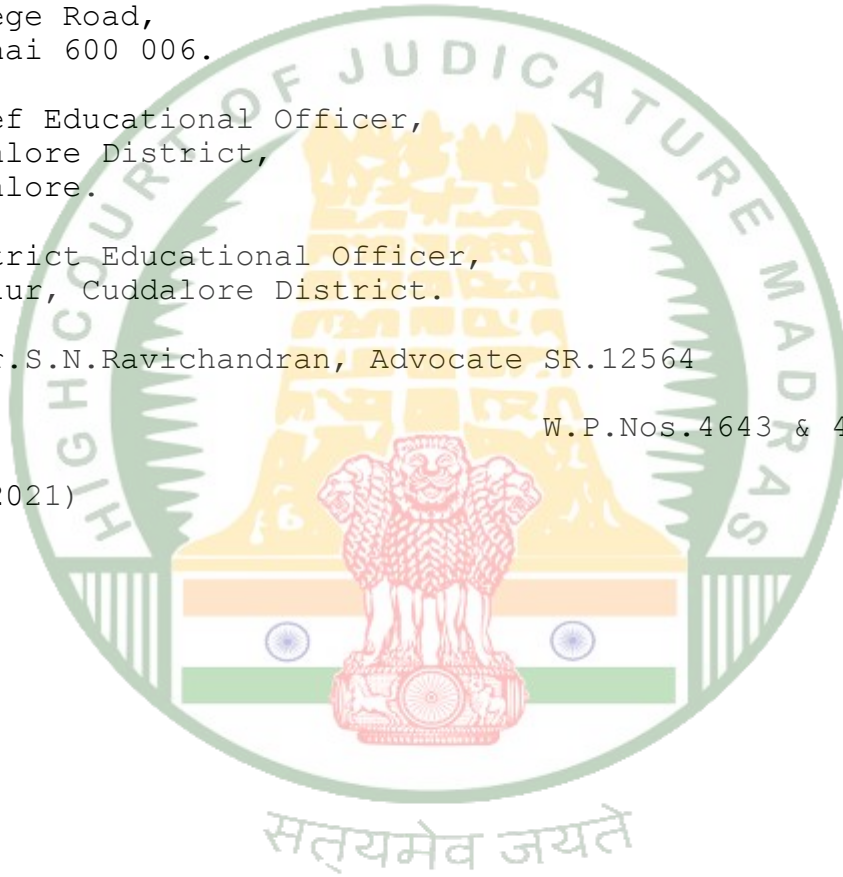
2.The Chief Educational Officer,
Cuddalore District,
Cuddalore.

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

+2cc to Mr.S.N.Ravichandran, Advocate SR.12564

W.P.Nos.4643 & 4645 of 2021

GPL (CO)
CB (24/03/2021)



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