

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17195 of 2016

The Correspondent and Headmaster
St.Ann's Higher Secondary School
Tindivanam - 604 001.
Villupuram District.

... Petitioner

Vs.

- 1.The State of Tamilnadu
Rep. by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 009.
- 2.The Director of School Education
College Road,
Chennai - 600 006.
- 3.The Joint Director of School Education (Vocational)
College Road,
Chennai - 600 006.
- 4.The Chief Educational Officer,
Chief Educational Office,
Collectorate Campus,
Villupuram District - 605 602.
- 5.The District Educational Officer,
District Educational Office,
Murungampakkam,
Tindivanam - 604 001.
Villupuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the fifth respondent District Educational Officer in O.Mu.No.6233/A2/2016 dated 21.03.2016, quash the same and further direct the respondents to approve forthwith the appointment of R.John Vincent Paul as Vocational Instructor in General Machinist w.e.f. 04.06.2007 and disburse the grant-in-aid towards his salary with allowances and all other attendant benefits.

For Petitioner : Mr.Sawmy Raaj
for M/s.P.Godson Swaminath

For Respondents: Mr.A.Rajaperumal
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking to quash the proceedings issued by the fifth respondent dated 21.03.2016 and to direct the respondents to approve forthwith the appointment of R.John Vincent Paul as Vocational Instructor in General Machanist with effect from 04.06.2007 and disburse the grant-in-aid towards his salary with allowances and all other attendant benefits.

2.The case of the petitioner School is that one R.John Vincent Paul was appointed as Vocational Instructor in General Machanist with effect from 04.06.2007 and a proposal was submitted to the fifth respondent for getting his appointment approved. The said proposal was returned vide impugned proceedings of the fifth respondent dated 21.03.2016. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner School is a minority educational institution and the said R.John Vincent Paul was appointed in a sanctioned post and hence, the respondents have no legal impediment to approve his appointment.

4.The learned counsel appearing for the respondents submitted that the petitioner may be directed to submit the proposal along with all necessary documents for approval of R.John Vincent Paul's appointment, for which, the learned counsel appearing for the petitioner agreed.

5.As agreed by the petitioner as well as the respondents, the petitioner shall submit the proposal along with all the required documents for consideration of the approval for appointment, to the respondents within a period of two weeks from the date of receipt of a copy of this order. On such proposal being submitted, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks thereafter. While passing orders, the respondents shall take into consideration the decision of the Division Bench of the Madurai Bench of this Court reported in 2016 (1) CWC 481 (Chief Educational Officer, Kanyakumari District at Nagercoil Vs. S.Christy).

6.With the above direction, this writ petition stands

disposed of. No costs. Consequently, the connected miscellaneous petition, if any, is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 009.
- 2.The Director of School Education
College Road,
Chennai - 600 006.
- 3.The Joint Director of School Education (Vocational)
College Road,
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Collectorate Campus,
Villupuram District - 605 602.
- 5.The District Educational Officer,
District Educational Office,
Murungampakkam,
Tindivanam - 604 001.
Villupuram District.

+1cc to Mr.D.Godson Swaminath, Advocate, S.R.No.18810
+1cc to the Government Pleader, S.R.No. 19171

W.P.No.17195 of 2016

AD(CO)
GN(23/06/2021)