

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.8321 of 2021

Vallal S.I. Alagarsamy Chettiar Higher Secondary School,
No.2 & 3, Adam Sahib Street,
Royapuram Chennai 600 013.

Rep. by its Secretary G.Umapathy

...Petitioner

-vs-

1. The Secretary to Government
School Education Department,
Fort St.George, Chennai - 9.
2. The Director of School Education,
DPI Campus, College Road,
Chennai 600 009.
3. The Chief Educational Officer,
Chennai District, Egmore,
Chennai 600 008.
4. The District Educational Officer,
Chennai East, Chennai 600 005.

...Respondents

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the third respondent in his proceedings Oo.Mu.No.2522/A3/2019 dated 19.02.2021 and quash the same and consequently directing the third respondent to grant prior permission to fill up the sanctioned post of Office Assistant to the petitioner school based on the recommendation made by the fourth respondent in his proceedings Na.Ka.No.5040/A2/2019 dated 20.01.2020.

For Petitioner : Mr.K.H.Ravikumar

For Respondents : Mr.P.Raja
Government Advocate

ORDER

This writ petition has been filed, seeking to call for the records relating to the impugned order passed by the third respondent in his proceedings Oo.Mu.No.2522/A3/2019 dated 19.02.2021 and quash the same and consequently directing the third respondent to grant prior permission to fill up the sanctioned post of Office Assistant to the petitioner school based on the recommendation made by the fourth respondent in his proceedings Na.Ka.No.5040/A2/2019 dated 20.01.2020.

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

3. When the matter is taken up for hearing Mr.Raja, learned Government Advocate would submit that in case the petitioner resubmits the application afresh, his case would be considered suitably.

4. According to the petitioner, the issue is covered by the decision of this Court in W.A.No.120 of 2020 dated 07.01.2021 and the guidelines prescribed therein may be followed, while considering his application, when the same is re-submitted.

5. It is needless to mention that as the 3rd respondent has agreed to consider the request of the petitioner suitably, once the application is resubmitted, there is no need to interfere with the order impugned in this writ petition. However, the 3rd Respondent is directed to take into account the principle laid down in W.A.No.120 of 2020 dated 07.01.2020, if the same is applicable to the request of the petitioner and extend the benefits, if there are no legal impediments. At present, this Court is not inclined to interfere with the impugned order, in view of the fact that the 3rd respondent has agreed to consider the representation of the petitioner.

6. With the above observation and direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(I)

//True Copy//

Sub Assistant Registrar

dpq

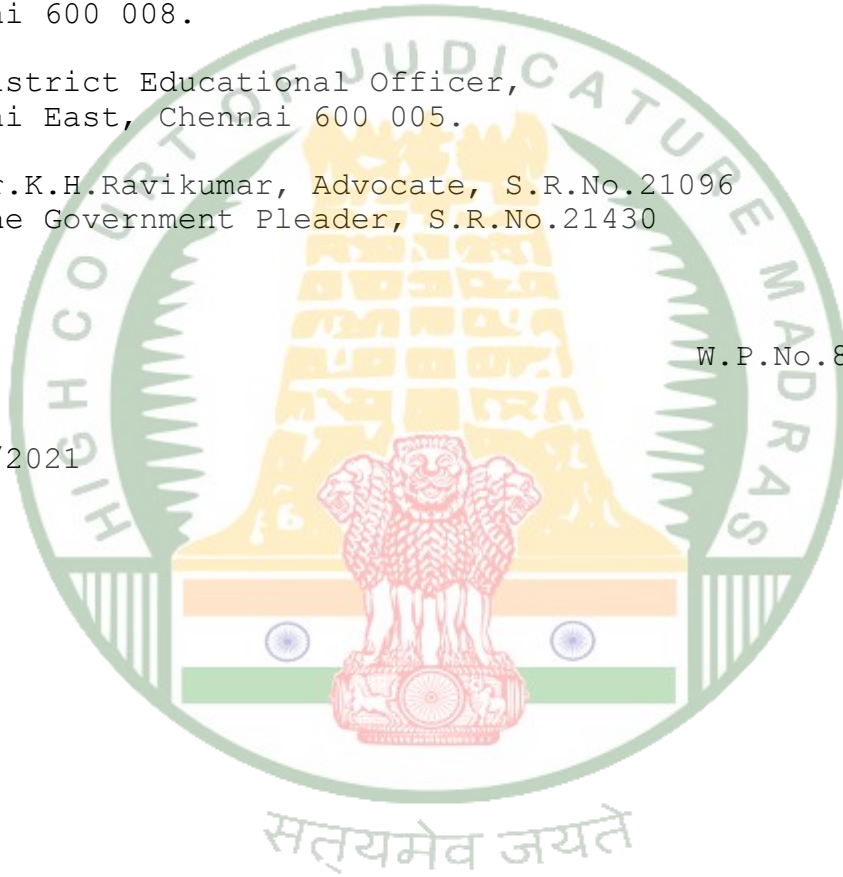
To:

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+lcc to Mr.K.H.Ravikumar, Advocate, S.R.No.21096
+lcc to the Government Pleader, S.R.No.21430

W.P.No.8321 of 2021

RSV(CO)
KKV/24/06/2021



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