



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.4912 of 2020

and

W.M., P(MD) No.4275 of 2020

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S.Ilayaraja

...Petitioner

Vs.

- 1.The Joint Director,
(Secondary Education),
Chennai-600 006.
- 2.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Madurai, Madurai District.
- 3.The District Educational Officer,
O/o. the District Educational Officer,
Madurai-2,
Madurai District.
- 4.The District Educational Officer,
O/o. the District Educational Officer,
Thirumangalam, Madurai District.
- 5.The Secretary,
Savithabai (Kovai) Higher Secondary School,
Thirunagar,
Madurai District-625 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorariied Mandamus, to call for the records pertaining to the impugned order in R.C.No.1234/A4/2010, dated 06.03.2012 on the file of the third respondent and quash the same as illegal to extent of approving with effect from 20.01.2012 instead of with effect from 22.02.2010 and consequently to direct the respondents No.1 to 4 to approve the appointment of the petitioner in the post of Junior Assistant with effect from 22.02.2010 with all monetary and service benefits within the time stipulated by this Court.

For Petitioner	: Mr.S.Louis
For R-1 to R-4	: Mr.J.Padmavathi Devi
	Special Government Pleader
For R-5	: No appearance



O R D E R

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 4.

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2.The grievance of the petitioner is that his appointment to the post of Junior Assistant was not approved from the date of his initial appointment. Through the impugned order dated 06.03.2012, the third respondent herein had approved the petitioner appointment with effect from 20.01.2012 only.

3.The learned counsel for the petitioner submitted that though he had challenged the original order dated 06.03.2012 approving his appointment from 20.01.2012 onwards, the fourth respondent herein had subsequently sent a proposal to the second respondent on 31.08.2018 proposing to have the petitioner's appointment approved from 22.02.2010, which is the original date of appointment. According to the learned counsel, the proposal is still pending with the second respondent and that if the second respondent is directed to pass orders on the proposal of the fourth respondent, he would be satisfied.

4.In view of the restricted prayer sought for by the petitioner and without going into the merits of the claim made by the petitioner, there shall be a direction to the second respondent herein to pass final orders pursuant to the proposal of the fourth respondent in Na.Ka.No.3654/Aa5/2018, dated 31.08.2018, as expeditiously as possible, in any event, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

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(Secondary Education),
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- 4.The District Educational Officer,
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W.P. (MD) No.4912 of 2020
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