



W.P.(MD) No.18594 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.18594 of 2021

WEB COPY

Nadar Middle School
Puliyuran
Aruppukottai-626 105
rep.by its Secretary
C.Prabhakaran

... Petitioner

-vs-

1.The Chief Educational Officer
Virudhunagar District
Virudhunagar

2.The District Educational Officer
Aruppukottai Education District
Virudhunagar District

3.The Block Educational Officer-I
Aruppukkottai Block
Virudhunagar District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to pass orders on the proposal submitted by the petitioner School dated 05.02.2020 and to grant permission to fill up the sanctioned post of Craft Teacher in the existing vacancy from 31.01.2020, within a time frame fixed by this Court.

For Petitioner : Mr.Sankaran.G.

For Respondents : Mr.S.Shanmugavel
Government Counsel

O R D E R

This writ petition is listed today under the caption "for orders".

2. The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents to pass orders on the

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proposal, dated 05.02.2020, submitted by the petitioner School and to grant permission to fill up the sanctioned post of Craft Teacher in the existing vacancy from 31.01.2020, within a time stipulated by this Court.

3. According to the petitioner, their School is an Aided School. The post of Craft Teacher fell vacant due to the retirement of the incumbent on 31.01.2020. Therefore, on 05.02.2020, they submitted a proposal to the respondents seeking permission to fill up the said post. However, the second respondent returned the said proposal, vide proceedings dated 22.01.2021, by relying on G.O.Ms.No.165, School Education Department, dated 17.09.2019. Thereafter, the petitioner School re-submitted the proposal in the month of March, 2021 and it is still pending for consideration before the second respondent. Hence, this writ petition.

4. The learned counsel appearing for the petitioner, on instructions, would submit that it would suffice, if a direction is issued to the second respondent to dispose of the proposal submitted by the petitioner School on 05.02.2020 and re-submitted in the month of March, 2021 at the earliest.

5. Heard the learned Government Counsel appearing for the respondents on the above submissions.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the proposal submitted by the petitioner School on 05.02.2020 and re-submitted in the month of March, 2021, on merits and in accordance with law, as early as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

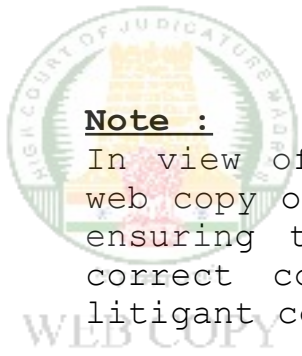
Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar (CS)

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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:

- 1.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
- 2.The District Educational Officer,
Aruppukottai Education District,
Virudhunagar District.
- 3.The Block Educational Officer-I,
Aruppukkottai Block,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-32839[F] dated 27/10/2021)

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RK/PM (09/11/2021) 3P 5C