



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.11876 of 2018

Kamalathasan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
School Education Department,
Fort George, Chennai.

2.The District Education Officer,
District Education Office,
Paramakudi,
Ramanathapuram District.

3.The Secretary,
Kashatriya Nadar Girl's Higher
Secondary School,
Kamuthi,
Ramanathapuram District.

4.The Chief Educational Officer,
Ramanathapuram District.
(R4 is *Suo motu* impleaded vide
order dated 08.06.2018)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to approve the appointment of the petitioner as 'Office Assistant' in the third respondent school namely Kshatriya Nadar Girl's Higher Secondary School, Kamuthi, Ramanathapuram District from 23.06.2017 and further direct to disburse all service and monetary benefits to the petitioner from 23.06.2017.

For Petitioner : Mr.Vinod Sathya Lazar

For Respondents : Mr.A.K.Manikkam,
Standing Counsel for State for R1, R2 & R4

Mr.V.Panneerselvam for R3

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to approve the appointment of the petitioner as 'Office Assistant' in the third respondent school namely Kshatriya Nadar Girl's Higher Secondary School, Kamuthi,



Ramanathapuram District from 23.06.2017 and further direct to disburse all service and monetary benefits to the petitioner from 23.06.2017.

2. The case of the petitioner is that he was appointed as Office Assistant in the third respondent school on 23.06.2017. Thereafter, the third respondent school sent a proposal to the second respondent for approval of appointment of the petitioner. The said proposal is still pending with the second respondent. Therefore, the petitioner has filed this Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner submitted that though the second respondent had received all the relevant papers from the third respondent school, so far no order has been passed on the proposal submitted by the third respondent school for approval of appointment of the petitioner as Office Assistant and also not disbursed all service and monetary benefits to the petitioner.

4. Though counter affidavit has been filed, there is no details have been furnished in the said counter affidavit. However, the learned counsel appearing for the official respondents submitted that the proposal of the third respondent school for approval of the petitioner's appointment will be considered duly in accordance with law.

5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the proposal submitted by the third respondent as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. If the proposal of the third respondent has been returned, due to any reasons, it is for the third respondent school to re-submit the same to the second respondent, within a period of one week from the date of receipt of a copy of this order. Thereafter, the second respondent shall consider the same in accordance with law. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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, the copy of the order that is presented is the correct

<https://hcservices.courts.gov.in/hcservices/>



copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort George, Chennai.
- 2.The District Education Officer,
District Education Office,
Paramakudi,
Ramanathapuram District.
- 3.The Secretary,
Kashatriya Nadar Girl's Higher
Secondary School,
Kamuthi,
Ramanathapuram District.
- 4.The Chief Educational Officer,
Ramanathapuram District.

+1 CC to M/s.GP (SR-28350[F] dated 07/09/2021)

W.P (MD) No.11876 of 2018
06.09.2021

RD(17.09.2021) 3P 6C