



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.02.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**
W.P. (MD)No.4118 of 2016

WEB COPY

The Correspondent
St.Joseph's Primary School
Adaikalapuram
Tuticorin District-628 217

... Petitioner

Vs.

- 1.The Director of Elementary Education,
College Road,
Chennai-600 006.
- 2.The District Elementary Educational Officer,
Tuticorin,
Tuticorin District-627 001.
- 3.The Additional Assistant Elementary,
Educational Officer,
Tiruchendur Union,
Tuticorin District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to upgrade existing Secondary Grade post as Primary School Headmaster in the petitioner school and consequently, approve the promotion of S.Mary as Primary School Headmistress in the petitioner school w.e.f., 02.06.2004 by considering the petitioner's proposal dated 09.12.2013 within a reasonable time as may be specified by this Court.

For Petitioners : Mr.A.Ajithgeethan

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the first respondent to upgrade existing Secondary Grade post as Primary School Headmaster in the petitioner school and consequently, approve the promotion of S.Mary as Primary School Headmistress in the petitioner school w.e.f., 02.06.2004, by considering the petitioner's proposal dated 09.12.2013.



2.In the affidavit, it has been stated that the petitioner School is a recognized aided minority Educational Institution and subsequently, the petitioner school was upgraded as High School, on 01.06.2001 and thereafter, the petitioner School was bifurcated as Primary School and High School in the year 2002. While the petitioner School was functioning as middle school, nine Teachers were working. After bifurcation of the school, four Teachers were absorbed to the High School vide proceedings, dated 30.01.2004 and remaining five teachers are working in the primary school. As on date, four teachers are working in the petitioner school. Further, the petitioner has averred that since the petitioner School was functioning without Headmaster, the School decided to promote one Secondary Grade Teacher viz., Selvi. S.Mary as Primary School Headmistress, with effect from 02.06.2004. The said proposal was returned by the second respondent on 18.09.2012 stating that the petitioner School had no vacant post and the said proposal could not be forwarded to the first respondent. Thereafter, the petitioner School has resubmitted the proposal to the respondents on 09.12.2013 and the same was returned. Again the petitioner School has resubmitted the said proposal dated on 22.07.2014. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to consider the resubmitted proposal dated 22.07.2014, within the time frame as fixed by this Court.

4.The learned Special Government Pleader appearing for the respondents has no serious objection for considering the petitioner School proposal.

5.Considering the facts and circumstances of the case, this Court directs the first respondent to consider the resubmitted proposal dated 22.07.2014 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI ACT)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



1.The Director of Elementary Education,
College Road,
Chennai-600 006.

2.The District Elementary Educational Officer,
Tuticorin,
Tuticorin District-627 001.

3.The Additional Assistant Elementary,
Educational Officer,
Tiruchendur Union,
Tuticorin District.

+1 CC to M/s.SPL GP (SR-13353[F] dated 24/03/2021)

+1 CC to M/s.SPL GP (SR-13305[F] dated 24/03/2021)

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23.02.2021

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