



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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W.P(MD)No.10974 of 2017

and

W.M.P(MD)No.8399 of 2017

The Correspondent,
Punitha Arulappan Higher Secondary School,
Avudayanoor - 627 808,
Tirunelveli District. ... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
- 2.The Director of School Education,
College Road,
Chennai - 600 006.
- 3.The Joint Director of School Education
(Secondary Education),
College Road,
Chennai - 600 006.
- 4.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
- 5.The District Educational Officer,
Tenkasi - 627 811,
Tirunelveli District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the second respondent Director of School Education to sanction one post of Lab Assistant to the petitioner School and further direct the fifth respondent District Educational Officer to approve the appointment of I.Arul



Antonyraj as Lab Assistant in the petitioner's School w.e.f. date of his appointment viz., 01.06.2016 with all attendant benefits including the arrears of salary and allowance.

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For Petitioner : Mr.K.Prabhu
for M/s.Isaac Chambers

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader
* * * * *

ORDER

This Writ Petition has been filed for issuance of a writ of Mandamus, to direct the second respondent Director of School Education to sanction one post of Lab Assistant to the petitioner School and further direct the fifth respondent District Educational Officer to approve the appointment of I.Arul Antonyraj as Lab Assistant in the petitioner's School w.e.f. date of his appointment viz., 01.06.2016 with all attendant benefits including the arrears of salary and allowance.

2. Learned Counsel appearing for the petitioner would submit that the petitioner Management made representations to the Director of School Education- second respondent herein on 18.01.2012, 27.01.2014 and 10.01.2015 requesting to sanction one post of Lab Assistant as sanctioned to the upgraded Government High Schools vide G.O.Ms.No198, dated 07.12.2011 and since till date, no order was passed, the present writ petition has been filed.

3. Learned Counsel for the petitioner would further submit that it would suffice if a direction is issued to the respondents to consider the petitioner's representations within a stipulated period as fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents has no objection for granting such relief as now sought for by the petitioner.

5. Considering the limited scope of prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representations of the petitioner dated 18.01.2012, 27.01.2014 and 10.01.2015 requesting to sanction one post of Lab Assistant as sanctioned to the upgraded Government High Schools vide G.O.Ms.No198, dated 07.12.2011, on merits and in accordance with law and dispose of the same within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above
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directions. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

SSL

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 Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
- 2.The Director of School Education,
College Road,
Chennai - 600 006.
- 3.The Joint Director of School Education
(Secondary Education),
College Road,
Chennai - 600 006.
- 4.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
- 5.The District Educational Officer,
Tenkasi - 627 811,
Tirunelveli District.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-11009[F] dated 15/03/2021
+1 CC to M/s.SPL GP (SR-11144[F] dated 15/03/2021)

W.P(MD)No.10974 of 2017

12.03.2021

NSM(CO)

KK(26.03.2021) 3P 8C

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