

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19766 of 2014
and M.P.No.1 of 2014

D.Nancy Jeba PRIya

... Petitioner

Vs

1. Director of School Education,
College Road, Chennai - 600 006.
2. The Chief Educational Officer,
Cuddalore District, Cuddalore - 607 001.
3. The District Educational Officer,
Cuddalore - 607 001.
4. The Secretary, Church Board,
The Arcot Lutheran Church,
Bharathi Road, Cuddalore.
5. Correspondent,
Danish Mission Higher Secondary School,
Nellikuppam - 607 105.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records and quash the proceedings of the 3rd respondent in her O.Mu.No.5003/Aa2/2013 dated 24.09.2013 as being illegal, null, void and malicious and consequently direct respondents 1 to 3 to approve the petitioner's appointment as Vocational Assistant [Sewing] and to pay her salary and all emoluments due as arrears.

For Petitioner : Mr.R.M.D.NasurullaKhan
for Mr.D.Baskar

For Respondents: Mr.S.Prabhakaran
Govt. Advocate [For R1 to R3]
No appearance [For R4 and R5]

O R D E R

The order impugned dated 24.09.2013 rejecting the claim of the writ petitioner for approval of appointment in the post of

Vocational Assistant [Sewing] is under challenge in the present writ petition.

2.The petitioner was appointed as Vocational Assistant [Sewing] in the 5th respondent/Aided School.

3.The learned counsel for the petitioner states that the petitioner was continuing in the post and accordingly, a proposal was submitted by the 5th respondent School for approval of appointment. Such application was rejected by the District Educational Officer on the ground that the Government imposed ban for appointing Vocational Assistant [Sewing] in the Aided Schools and therefore, no approval can be granted in respect of the appointments made for the post of Vocational Assistant [Sewing].

4.When a policy decision has been taken by the Government and the appointment to the post of Vocational Assistant [Sewing] is banned, there is no reason whatsoever to interfere with the order of rejection of approval of appointment issued by the 3rd respondent in proceedings dated 24.09.2013. Therefore, the writ petitioner may be allowed to continue by the School in an unapproved post, if there is a need for such continuance.

5.With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cse

To

1. Director of School Education,
College Road, Chennai - 600 006.
2. The Chief Educational Officer,
Cuddalore District, Cuddalore - 607 001.
3. The District Educational Officer,
Cuddalore - 607 001.

+1cc to the Government Pleader, S.R.No.39003

W.P.No.19766 of 2014

AJB(CO)
CT/11/07/2022