



WEB COPY



W.P. No.28201 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.28201 of 2022

K. Shafeequr Rahman

... Petitioner

Vs.

1. The Director of Elementary Education,
College Road,
Chennai – 6.

2. The Chief Educational Officer,
Thirupattur,
Thirupattur District.

3. The District Educational Officer,
Vaniyambadi,
Thirupattur District.

4. The Secretary & Correspondent,
Islamiah Boys Higher Secondary School,
Vaniyambadi,
Thirupattur District.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to approve the appointment of the petitioner as B.T. Assistant (Science) in the 4th respondent school w.e.f. 10.06.2019, with all consequential benefits, on the basis of the proposal dated 07.12.2020, submitted by the 4th respondent school, in the light of the order passed in W.A. (MD) No.1292 of 2017 and 461/2014, dated 29.11.2017.



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For petitioner : Mr.S.N. Ravichandran
For respondents : Mr.C. Sathish
Government Advocate for R1 to R3
R4 – Dispensed with.

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.C. Sathish, learned Government Advocate accepts notice for the respondents 1 to 3.

3. This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to approve the appointment of the petitioner as B.T. Assistant(Science) in the 4th respondent school with effect from 10.06.2019, based on the proposal dated 09.12.2020, submitted by the 4th respondent School, within a time frame to be fixed by this Court.

4. The petitioner claims that he has been appointed as B.T. Assistant (Science) by the 4th respondent school with effect from 10.06.2019. According to him, a proposal has also been sent by the 4th respondent School to the 2nd respondent requesting the 2nd respondent to approve the petitioner's appointment with effect from 10.06.2019. Since the proposal has not been considered till date, he has filed this writ



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petition.

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5. Heard Mr.S.N. Ravichandran, learned counsel for the petitioner and Mr.C. Sathish, learned Government Advocate for the respondents 1 to 3. Since no adverse orders are passed against the 4th respondent, notice to 4th respondent is dispensed with by this Court.

6. No prejudice would be caused to the respondents, if the 4th respondent's proposal dated 09.12.2020 seeking for approval of the appointment of the petitioner as B.T. Assistant in the 4th respondent School with effect from 10.06.2019 is considered on merits and in accordance with law, within a time frame to be fixed by this court.

7. The petitioner also relies upon an order passed in W.A. (MD) No.1292 of 2017 and 461/2014, dated 29.11.2017 in order to substantiate his case. It is for the respondents to consider the same on merits and decide as to whether the said decision is applicable to the case of the petitioner or not.

8. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the 4th respondent's proposal dated 09.12.2020 seeking for approval of the appointment of the petitioner as B.T. Assistant (Science) in the 4th respondent School with effect from 10.06.2019, within a period of twelve weeks from the date of receipt of a



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copy of this order.

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No costs.

26.10.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To :

1. The Director of Elementary Education,
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ABDUL QUDDHOSE, J.

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