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W.P.No.33748 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33748 of 2022

S.Gethceyal

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2.The District Educational Officer,
Kallakurichi,
Kallakurichi District.

3.The Block Educational Officer,
Tirukovilur,
Kallakurichi District - 605 757.

4.The Correspondent,
Danish Mission Middle School,
Keelaiyur, Tirukovilur,
Kallakurichi District - 605 757.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pass orders for granting approval of appointment of petitioner in the post of second grade Teacher in the fourth respondent



School from the date of appointment on 31.01.2019, based on the proposal submitted by the fourth respondent school dated 24.12.2019 and resubmitted proposal on 29.03.2022 with all consequential and other attendant benefits, including the arrears of salary to the petitioner from the date of initial appointment on 31.01.2019, along with interest.

For Petitioner : Mr.S.Sarath Chandran

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader
for R1 to R3

R4 - Dispensed with

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to pass orders on the proposal re-submitted by the fourth respondent School on 29.03.2022, seeking for approval for appointment of the petitioner to the post of second grade teacher in the fourth respondent School within a time frame to be fixed by this Court.

2. The petitioner claims that he was appointed as a second grade teacher in the fourth respondent School. The fourth respondent School had submitted a proposal to the second respondent on 18.12.2019, seeking for granting approval for the appointment of the petitioner as a second grade



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teacher with effect from 31.01.2019. The said proposal was returned by the second respondent and thereafter, the fourth respondent has once again re-submitted the proposal with the second respondent on 29.03.2022. According to the petitioner, till date, the said proposal has not been considered by the second respondent. In such circumstances, she has filed this Writ Petition.

3. Heard, Mr.S.Sarath Chandran, learned counsel for the petitioner and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for respondent Nos.1 to 3. Since no adverse orders are passed against the fourth respondent, notice to the fourth respondent is dispensed with.

4. No prejudice would be caused to the respondents, if the proposal re-submitted by the fourth respondent School on 29.03.2022, seeking for approval of the appointment of the petitioner in the post of second grade teacher in the fourth respondent School with effect from 31.01.2019 is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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5. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the proposal re-submitted by the fourth respondent School on 29.03.2022, seeking for approval for the appointment of the petitioner as a second grade teacher in the fourth respondent School, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

15.12.2022

Index : Yes/No
Speaking Order : Yes / No
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To

1.The Director of School Education,
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Kallakurichi District.

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ABDUL QUDDHOSE. J.,

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