



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

W.P.[MD].No.5018 of 2020

WEB COPY

G.Manuel Ayyadurai

... Petitioner

Vs.

1.The Chief Educational Officer,
Office of the Chief Educational Officer,
Tirunelveli District.

2.The District Educational Officer,
Cheranmahadevi Education District,
Tirunelveli District.

3.The Correspondent,
TDTA High School,
Melaseval,
Tirunelveli District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to give approval for the petitioner's appointment as Junior Grade B.T.Assistant dated 12.08.2008 and to pay the salary for the period from 12.08.2008 to 31.08.2009 and further period from 16.10.2017 to till date based on the petitioner's representation dated 17.02.2020.

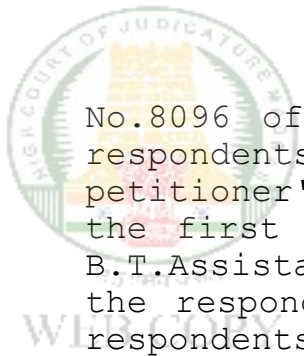
For Petitioner : Mr.C.Vakeeswaran

For Respondents : Mr.J.Ashok
Additional Government Pleader
for RR1 & 2
No-appearance for R3

O R D E R

Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

2. The petitioner, who was appointed as Junior Grade B.T.Assistant on 12.08.2008 in the third respondent School, was not allowed to work in the said Post on the ground of surplus. In this regard, he has filed a writ petition before this Court in W.P.(MD).



No.8096 of 2008 and in that writ petition, the first and second respondents gave an assurance that they will not disturb the petitioner's functioning as B.T.Assistant. However, despite that, the first respondent has not allowed the petitioner to work as a B.T.Assistant and therefore, the petitioner gave a representation to the respondents on 17.02.2020. The same was not considered by the respondents and hence, this present Writ Petition is filed for a direction to the respondents 1 and 2 to approve his appointment.

3. When the writ petition is listed for hearing, the learned counsel for the petitioner confined his relief that it would be sufficient if a direction is given to the respondents to dispose of his representation dated 17.02.2020.

4. Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents submits that the representation of the petitioner is under consideration.

5. In view of the limited scope of the relief sought for, this Court, without expressing anything on the merits of the claim made by the petitioner in his representation, directs the respondents to consider the petitioner's representation dated 17.02.2020 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

1. The Chief Educational Officer,
Office of the Chief Educational Officer,
Tirunelveli District.
2. The District Educational Officer,
Cheranmahadevi Education District,
Tirunelveli District.



3.The Correspondent,
TDTA High School,
Melaseval,
Tirunelveli District.

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-897[F] dated 10/01/2022)

+1 CC to M/s.SPL GP (SR-1289[F] dated 11/01/2022)

**W.P. [MD] .No.5018 of 2020
07.01.2022**

kg (CO)
TR(15.03.2022) 3P 6C