



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.8160 of 2022

Bharathi Primary School
Rep. by its Secretary
V.Arunadevi

... Petitioner

Vs.

1.The District Educational Officer,
Sankarankovil
Tenkasi District.

2.The Block Level Education Officer-I
Vasudevanallur Range,
Tenkasi District.

3.Kalaivani

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to approve the dismissal order dated 09.02.2022 issued by the petitioner vide representation dated 10.02.2022.

For Petitioner	: Mr.C.Mayilvahana Rajendran
For Respondents	: Mr.G.V.Vairam santhosh Additional Government Pleader

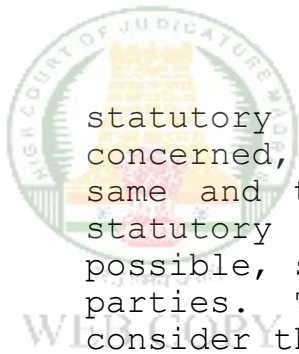
ORDER

The relief sought for in the present writ petition is to direct the first respondent to approve the dismissal order dated 09.02.2022 issued by the petitioner vide representation dated 10.02.2022.

2.The petitioner is a school initiated disciplinary proceedings against the third respondent after conducting a domestic enquiry and based on the enquiry report, the school submitted a proposal for inflicting a punishment of removal from service. They submitted the proposal seeking approval and the approval is pending before the first respondent.

3. The grievance of the petitioner is that the approval is kept pending unnecessarily without taking a decision.

4. This Court is of the considered opinion that such proposals are statutory proposals, which are all mandatory. Under the provisions of the Private School Regulations Act, whenever such



statutory applications or proposals were submitted by the person concerned, then the competent authorities are bound to consider the same and take a decision without causing undue delay. All such statutory applications are to be decided as expeditiously as possible, since long pendency would cause prejudice to either of the parties. This being the factum, the first respondent is directed to consider the proposal submitted by the writ petitioner on 10.02.2022 and take a decision on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

1.The District Educational Officer,
Sankarankovil
Tenkasi District.

2.The Block Level Education Officer-I
Vasudevanallur Range,
Tenkasi District.

+1 CC to M/s.C. MAYIL VAHANA RAJENDRAN, Advocate (SR-21655[F]
dated 27/04/2022)

+1 CC to M/s.SPL.GP. (SR-21887[F] dated 27/04/2022)

W.P. (MD)No.8160 of 2022

26.04.2022

NSN(CO)

GC(10.05.2022) 2P 5C