



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 11126 of 2021

K.V.Selvaraj

... Petitioner

-Vs-

1. The Commissioner of School Education,
Department of School Education,
College Road,
Chennai - 600 006.

2. The Director of School Education,
Department of School Education,
College Road,
Chennai - 600 006.

3. The Chief Educational Officer,
Theni,
Theni District.

4. The District Educational Officer,
Uthamapalayam Post & Taluk,
Theni District,

5. The Headmaster,
Government High School,
Seepalakottai,
Uthamapalayam Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the third and fourth respondents to take appropriate action to fill up the posts of Sweeper and Office Assistant remaining vacant in the fifth respondent School, by considering the representation of the petitioner dated 28.04.2021.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.V.Nirmal Kumar
Government Advocate



O R D E R

The relief sought for in the present Writ Petition is to direct the third and fourth respondents to take appropriate action to fill up the posts of Sweeper and Office Assistant in the fifth respondent School.

WEB COPY

2. The petitioner is the President of the Parents and Teachers Association of the Government High School, Seepalakottai, Theni District, the fifth respondent herein. He is also the President of the Readers Circle of the Government Branch Library opened by the Department of Public Libraries, Government of Tamil Nadu with effect from 12.07.2019 in the said Village Panchayat. The fifth respondent School was upgraded in the year 1961 as High School. On 31.05.2020, the incumbent Office Assistant got retired and the said post is lying vacant for more than one year. The Government has issued G.O.(Ms)No.101, School Education (Budget-I) Department dated 18.05.2018, conferring the duties and responsibilities to the fourth respondent and by virtue of the said Government Order, the fourth respondent is the appointing and transferring authority in respect of Office Assistant, Watchmen under the Tamil Nadu Basic Service. The post of Sweeper also falls within Tamil Nadu Basic Service. Hence, the petitioner has made a representation before the respondents on 28.04.2021. Since there is no positive action, he has filed the present Writ Petition.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that it would suffice if the representation of the petitioner dated 28.04.2021 is directed to be disposed of, within a stipulated time limit.

4. In view of the limited scope of the relief sought for, this Court, without expressing anything on the merits of the case, directs the third and fourth respondents to consider the petitioner's representation dated 28.04.2021 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 eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

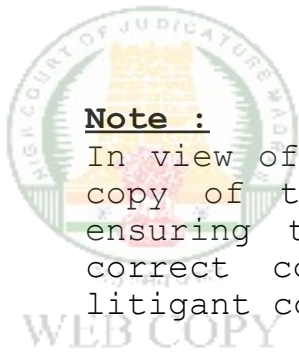
// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vji

<https://hcservices.ecourts.gov.in/hcservices/>



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Commissioner of School Education,
Department of School Education,
College Road,
Chennai - 600 006.
2. The Director of School Education,
Department of School Education,
College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Theni,
Theni District.
4. The District Educational Officer,
Uthamapalayam Post & Taluk,
Theni District,
5. The Headmaster,
Government High School,
Seepalakottai,
Uthamapalayam Taluk,
Theni District.

+1 CC to M/s.SPL.GP (SR-4184[F] dated 04/02/2022)

+1 CC to M/s.K.PONNAIAH, Advocate (SR-4361[F] dated 04/02/2022)

**W.P (MD) No. 11126 of 2021
03.02.2022**

RK(12/04/2022) 3P 8C