

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21598 of 2022
and
W.M.P.(MD)No.15743 of 2022

D.Cyril Selvi

... Petitioner

Vs.

1.The Commissioner,
State Commissionerate for the welfare of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai-5.

2.The Director,
Department for the Welfare of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai-5.

3.The District Differently Abled Welfare Officer,
The Office of the District Differently Abled Welfare Office,
Kokkirakulam,
Tirunelveli.

4.The Correspondent,
Florence Swaison Hr.Sec.Secondary School for the Deaf,
Palayamkottai,
Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to approve the appointment of the petitioner as a secondary grade teacher before the 4th respondent based on the petitioner's representation dated 16.07.2022.

For Petitioner : Mr.T.Selvan
For R1 to R3 : Mr.A.K.Manikkam
Special Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for R1 to R3.

2. The petitioner states that she is working as secondary grade teacher in the fourth respondent Institution. She also claims that she has been included in the seniority list maintained by the fourth respondent. It is seen that the fourth respondent is a minority institution. It is a private body and not a state instrumentality.

3. It is not the case of the petitioner that she was formally appointed by the fourth respondent against a sanctioned vacancy. Only in that event, this Court can interfere and not otherwise. The petitioner has not shown before this Court that she was appointed by the fourth respondent against a sanctioned

vacancy. I am therefore unable to grant any relief.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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