



W.P(MD)No.25201 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.25201 of 2022

LK Higher Secondary School,
Kayalpattinam,
Tuticorin District,
Rep. by its Correspondent.

... Petitioner

Vs.

- 1.The Commissioner of School Education,
EVK Sampath Maligai,
DPI Campus, College Road,
Nungampakkam, Chennai-600006.
- 2.The Joint Director of School Education (S),
College Road, Chennai- 600006.
- 3.The Chief Educational Officer,
Tuticorin District, Tuticorin.
- 4.The District Educational Officer,
Tuticorin District, Tuticorin.
- 5.K.Paramasivan,
B.T.Assistant (Science),
LK Higher Secondary School,
Kayalpattinam,
Tuticorin District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to approve the appointment of the 5th respondent from the date of his initial appointment viz., 04.06.2007 instead of 04.07.2022 and consequently direct the 1st respondent to release the monetary and other applicable benefits by considering the petitioners representation dated 07.03.2022 and pass order on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.Jerin Mathew,
For Mr.M.E.Ilango.

For Respondents : Mr.N.Sathees Kumar,
Addl. Government Pleader for R1 to R4.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 4.

2.The petitioner seeks approval of the fifth respondent's appointment with effect from 04.06.2007 instead of 04.07.2008.



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3.The learned Additional Government Pleader would submit that the writ petition is hopelessly barred by laches. He would also state that without a formal challenge to the order granting approval, the present writ petition may not be maintainable.

4.Realizing the force of the said objection, the learned counsel for the petitioner states that he will be satisfied if the petition mentioned representation is considered and disposed of. The first respondent is directed to pass order on the petition mentioned representation on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. It is open to the first respondent to pass order one way or the other.

5.The writ petition is disposed of accordingly. No costs.

07.11.2022

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

ias

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