



WEB COPY



W.P.No.727 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05..07..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.727 of 2023

and

W.M.P.Nos.664 & 665 of 2023

J.Prema Anitha

..... Petitioner

-Versus-

1.The Director of Elementary Education,
College Road, Chennai-6.

2.The District Educational Officer,
Virudhachalam, Cuddalore District.

3.The Block Educational Officer,
Nallur, Cuddalore District.

4.The Correspondent,
Danish Mission Elementary School,
Pe.Ponneraj, Pennadam,
Cuddalore District.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order passed by the 2nd vide Na.Ka.No.099/Aa4/2022, dated 30.11.2022 and to quash the same and consequently direct the 2nd respondent to approve the appointment of the



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petitioner as Secondary Grade Teacher in the 4th respondent School, w.e.f. 21.01.2019 with all consequential monetary benefits.

For Petitioner : Mr.S.N.Ravichandran

*For Respondents : Mr.S.Prabhakaran,
Government Advocate
for RR1 to 3*

No appearance for R4

ORDER

This writ petition challenges order dated 30.11.2022 passed by the 2nd respondent vide his proceedings in Na.Ka.No.099/Aa4/2022 thereby refusing to grant approval of the appointment of the petitioner as Secondary Grade Teacher in the 4th respondent School and seeks a consequential direction for the grant of all monetary benefits as a result of approval w.e.f. 21.01.2019.

2. Heard both sides.

3. This is second round of litigation. The impugned order has been passed pursuant to the order of this court dated 30.11.2022 in W.P.No.1251 of 2020. G.O.Ms.No.165 dated 17.09.2019 has been declared as inoperative by a Division Bench of this court by judgement dated 31.03.2021 made in W.A.(MD) NO.76 of 2019.

4. Admittedly, the petitioner was appointed on 21.01.2019 as Secondary



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Grade Teacher in the 4th respondent school in a retirement vacancy much before said Government Order and as such there would not be any impediment for the 2nd respondent to process the proposal forwarded to him by the 4th respondent seeking approval of the petitioner's appointment.

5. In the light of the above, the impugned order of the 2nd respondent is set aside and the matter is remitted to the 2nd respondent who shall consider the proposal and pass an order of approval of the appointment made by the 4th respondent, provided the said proposal satisfies all the norms prescribed for such appointment and rules therefor and she is otherwise eligible, as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly with the above directions. Consequently, connected WMPs are closed.

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Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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