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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2945 of 2023

Tmt.S.Radhika

Petitioner

vs.

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

2.The Chief Educational Officer,
Erode District, Erode.

3.The District Educational Officer,
Erode District, Erode.

4.The Secretary,
Kalaimagal Kalvi Nilayam,
Girls Higher Secondary School,
Erode – 638 001.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to approve the appointment of the petitioner as B.T. Assistant (Tamil) with effect from 03-06-2019 in the 4th respondent School and pay the salary and all other benefits.

For Petitioner : Mr.K.Sathish Kumar

For Respondents : Mrs.Indhumathi
Government Advocate

**ORDER**

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This writ petition has been filed for issue of writ of mandamus directing the respondents to approve the appointment given to the petitioner as B.T. Assistant (Tamil) w.e.f. 03.06.2019 in the 4th respondent School.

2.The case of the petitioner is that the 4th respondent School is aided Non-minority Girls Higher Secondary School. Applications were invited to fill up the post of B.T. Assistant (Tamil). The petitioner participated in the selection process and the 4th respondent selected the petitioner and an appointment order was issued to the petitioner on 03.09.2019. Thereafter, the 4th respondent had also sent the proposal for the appointment of the petitioner to the 3rd respondent. The grievance of the petitioner is that the 3rd respondent has not acted upon the proposal and as a result, petitioner is working in the 4th respondent School without salary for the last four years. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.K.Sathish Kumar, learned counsel appearing on behalf of the petitioner and Mrs.Indhumathi, learned Government Advocate appearing on behalf of the respondents.



4. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been working in the 4th respondent School without salary for the last four years, since her appointment has not been approved, there shall be a direction to the 2nd and 3rd respondent to act upon the application submitted by the 4th respondent seeking for the approval of the appointment of the petitioner on 03.06.2019 and take a decision, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation through the 4th respondent, to the 2nd and 3rd respondents, along with all the relevant documents and also a copy of this order.

5. This writ petition is disposed of with the above directions. No Costs.

06.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



N. ANAND VENKATESH, J.

SSR

To

1. The Commissioner,
School Education Department,
College Road,
Chennai – 600 006.
2. The Chief Educational Officer,
Erode District,
Erode.
3. The District Educational Officer,
Erode District,
Erode.

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