



W.P.No.3764 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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P.Sherine

...Petitioner

Vs.

1. The Chief Educational Officer,
Cuddalore,
Cuddalore District.

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

3. The Correspondent,
Girls Christian Higher Secondary School,
Melpattambakkam - 607 105
Cuddalore District

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's representation dated 28.10.2022, which was given seeking for continuity of service and for payment of arrears of salary for the period 01.08.2012 to 01.06.2015 on merits within a time frame stipulated by this Court.



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For Petitioner : Mr.A.S.Kaizer

For Respondents : Mr.RU Dinesh Rajkumar
Additional Government Pleader for
respondents 1 to 3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to dispose of the representation made by the petitioner on 28.10.2022 wherein the petitioner is seeking for continuity of service and for payment of arrears of salary for the period from 01.08.2012 to 01.06.2015.

2. The case of the petitioner is that he was appointed as a BT Assistant Teacher (English) on 01.08.2012 in Girls Christian Higher Secondary School at Cuddalore viz., the 3rd respondent herein. The 3rd respondent school had forwarded the proposal to the 2nd respondent seeking for the approval of appointment of the petitioner. The approval papers were returned back on the ground that the petitioner had studied BA English in Dual degree system and hence, she is not eligible to be appointed.



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3. The petitioner subsequently completed her degree in English in the regular system on 25.05.2015. The 3rd respondent school once again resubmitted the proposal for approval of the appointment of the petitioner before the 2nd respondent. Interim directions were issued by this Court and the non-compliance of the same, resulted in filing of a contempt petition and ultimately, the 2nd respondent passed an order approving the appointment of the petitioner with effect from 01.06.2015.

4. The grievance of the petitioner is that when the approval for appointment was made, it was only given effect from 01.06.2015 and according to the petitioner, approval ought to have given from the date on which the petitioner had joined the service of the 3rd respondent. In view of the same, the petitioner made a representation on 28.10.2022 seeking for the continuity of service and for payment of arrears of salary for the period from 01.08.2012 to 01.06.2015. Since the same was not considered by the respondents,



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the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.A.S.Kaizer, learned counsel for the petitioner and Mr.RU.Dinesh Rajkumar, learned Additional Government Pleader for respondents.

6. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 28.10.2022 and deal with the same on its own merits and in accordance with law and take a decision within a period of six weeks from the date of receipt of the copy of this order.

7. The petitioner is directed to make a fresh representation to the 1st respondent along with all relevant documents and also a copy of this order. The representation shall be routed



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through the 3rd respondent school.

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8. This writ petition is disposed of with the above directions. No costs.

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Index:Yes/No

Internet:Yes/No

To

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