



W.P.No.14794 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.14794 of 2023

E.N.J.Nirmala

...Petitioner

Vs

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.

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

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

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

5.The Correspondent,
Danish Mission Elementary School,
Kattumayilur, Nallur Block,
Cuddalore District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to approve the appointment of petitioner in the post of Secondary Grade Teacher with effect from 12.12.2018 based on the proposal submitted by the 5th respondent School dated 12.05.2022 without reference to G.O.Ms.No.165 School Education Department dated 17.09.2019 with all consequential benefits including payment of arrears of salary from the date of initial appointment within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan

For R1 to R4 : Mr.P.Sanjay Gandhi
Government Advocate

ORDER

Heard Mr.S.Nedunchezhiyan, learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Government Advocate for the respondents 1 to 4.

2. In view of the order to be passed in this Writ Petition, no prejudice would be caused to the fifth respondent and hence, notice to the fifth respondent is hereby dispensed with.



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3. The prayer sought for in the present Writ Petition is for a direction to the respondents 1 to 4 to approve the petitioner's appointment in the post of Secondary Grade Teacher with effect from 12.12.2018, based on the proposal submitted by the fifth respondent dated 12.04.2022. Subsequently, the third respondent herein had issued the proceedings dated 27.07.2022, calling for a report from the fourth respondent herein. Since there was no progress, the petitioner has preferred the present Writ Petition.

4. This Court is of the view that such a claim requires to be considered by the respondents and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the proposal forwarded by the fifth respondent is directed to be disposed of within a stipulated time, the ends of justice could be secured.

5. In the light of the above observation, the third respondent herein is directed to dispose of the proposal forwarded by the fifth respondent dated 12.12.2018, seeking for approval of the petitioner's appointment in



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the post of Secondary Grade Teacher, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

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Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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