



W.P.No.17639 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17639 of 2023
and
W.M.P.No.16732 of 2023

D.Selvananthi

...Petitioner

Vs

- 1.The Commissioner of Differently Abled,
Lady Wellington College Campus,
Chennai - 600 005.
- 2.The District Differently Abled
Welfare Officer,
Krishnagiri District.
- 3.The Correspondent,
IELC, Maans School for the
Mentallyl Retarded,
Barugur - 635 104,
Krishnagiri District.
- 4.Member Secretary,
Rehabilitation Council of India,
Statutory Body under Ministry of
Social Welfare and Justice,
B22, Qutub International Area,
New Delhi - 110 016.



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5.The Principal,
Bala Vihar Training School,
No.10, New Avadi Road,
Kilpauk, Chennai - 10.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to approve the appointment of the petitioner as Secondary Grade Teacher in the 3rd respondent school, w.e.f. 01.06.2018, with all consequential monetary benefits, on the basis of the proposal submitted by the 3rd respondent school, dated 01.06.2018 and re-submitted on 10.04.2023.

For Petitioner : Mr.S.N.Ravichandran

For R1 & R2 : Mr.P.Baladhandayutham,
Special Government Pleader

ORDER

Heard Mr.S.N.Ravichandran, learned counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader for the first and second respondents.

2. In view of the order to be passed in this Writ Petition, no prejudice would be caused to the respondents 3 to 5 and hence, notice to the said respondents is hereby dispensed with.



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3. The prayer sought for in the present Writ Petition is for a direction to the first respondents to approve the petitioner's appointment as Secondary Grade Teacher with effect from 01.06.2018, based on the proposal submitted by the third respondent school dated 01.06.2018 and 10.04.2023. 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 third 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 first respondent herein is directed to dispose of the proposals forwarded by the third respondent dated 01.06.2018 and 10.04.2023, seeking for approval of the petitioner's appointment in the post of Secondary Grade Teacher, within a period of eight weeks from the date of receipt of a copy of this order.



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M.S.RAMESH,J.

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

No costs. Consequently, connected miscellaneous petition is closed.

14.06.2023

Index:Yes/No

Speaking order/Non-speaking order

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To

1.The Commissioner of Differently Abled,
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Chennai - 600 005.

2.The District Differently Abled
Welfare Officer,
Krishnagiri District.

3.The Member Secretary,
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