



WEB COPY



W.P.No.19402 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19402 of 2023
and W.M.P.No.18675 of 2023

Sr.D.Avila Theresa

...Petitioner

Vs

- 1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Perambalur – 621 212.
- 4.The District Educational Officer [Secondary],
The Office of the District Educational Officer,
Perambalur – 621 212.
- 5.The Correspondent,
St.Domnic's Girls Highers Secondary School,
Nirmala Nagar,
Perambalur District – 621 212.

...Respondents



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PRAAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to accord approval to the appointment of the petitioner Sr.D.Avila Theresa, as B.T.Asst [Social Science] in the 5th respondent St.Domnic's Girls Higher Secondary School, Nirmala Nagar, Perambalur District – 621 212 w.e.f. 06.06.2018 with all service and monetary benefits.

For Petitioner : Father Xavier,
Senior Counsel
for Father Xavier Associates

For R1 to R4 : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

Heard Dr.Father Xavier, learned Senior Counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader 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 5th respondent. Hence, notice to the said 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 as B.T.Assistant [Social Science] with effect from 06.06.2018, based on the proposal submitted by the fifth respondent, together with consequential service and monetary benefits.

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 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 fourth respondent herein is directed to dispose of the proposal forwarded by the fifth respondent dated 31.12.2020, seeking for approval of the petitioner's appointment in the post of B.T.Assistant (Social Science), 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.

30.06.2023

Index:Yes/No

Speaking order/Non-speaking order

hvk

To

- 1.The Principal Secretary,
Government of Tamil Nadu,
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Fort St. George, Chennai – 600 009.
- 2.The Director of School Education,
DPI Campus, College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
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