



WEB COPY



WP.No.21156 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.21156 of 2023

M.Vijayasarathi

.. Petitioner

Versus

1.The Chief Educational Officer
Chennai District
Presidency College Campus
Egmore, Chennai – 600 008

2.The District Educational Officer
Chennai South
Saidapet, Chennai – 600 015

3.The Secretary
C.D.Nayagam Theyagaraya Nagar
Higher Secondary School
Venkatanarayana Road
T.Nagar, Chennai – 600 017

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the 2nd respondent in Na.Ka.No 1328/Aa4/2021 dated 20.07.2021 and to quash the same and consequently directing the respondents to pass orders for approval of appointment of the petitioner to the post of B.T. Assistant (Science) in the 3rd Respondent School from the date of initial appointment on 17.04.2009 instead of 01.06.2009 with



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consequential and other attendant benefits including revision of pay scale for the petitioner with payment of arrears of salary.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.S.Arumugham for R1 & 2
Government Advocate

ORDER

The challenge has been made to the impugned order rejecting the petitioner's contention that approval should be made from the date of his initial appointment.

2. It is the grievance of the writ petitioner that he has been appointed as B.T.Assistant (Science) and joined the third respondent school on 17.04.2009 and immediately, proposal was sent by the third respondent to the authorities concerned. However, the approval has been accorded from 01.06.2009 instead of 17.04.2009, the date of joining duty. According to the petitioner, it is not proper approval ought to have been given from the date of his initial appointment, whereas, the learned Government Advocate would submit that the approval has been made from the academic year.

3. Heard both sides and perused the materials placed on record.



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4. Admittedly, the petitioner was appointed on 16.04.2009 which is not disputed and he has also joined on 17.04.2019. Such being the position, the date of approval ought to have been given from the date of joining.

5. Accordingly, the impugned order stands quashed and the respondent is directed to accord the approval from the date of his initial appointment, i.e., on 17.04.2009.

6. In view of the above, this writ petition stands disposed of. No costs.

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dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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N.SATHISH KUMAR, J.

dhk

To

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