



WEB COPY



W.P.No.24652 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24652 of 2023
and W.M.P.No.24095 of 2023

S.Agatha Bibiana

... Petitioner

-Vs-

1. The Government of Tamil Nadu,
represented 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,
The office of the Chief Educational Officer,
Presidency Girls Higher Secondary School Campus,
Egmore, Chennai-600 008.
4. The District Educational Officer (Secondary),
The Office of the District Educational Officer,
Government Girls Higher Secondary School Campus,
Chennai North,
Chennai-600 049.
5. The Correspondent,
Don Bosco Higher Secondary School,
No.130, M.H.Road, Perambur,
Chennai-600 011.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to issue orders approving the appointment of the petitioner Mrs.S.Agatha Bibiana, working as B.T. Assistant (Social Science) in the fifth respondent Don Bosco Higher Secondary School, No.130, M.H.Road, Perambur, Chennai-600011 w.e.f.01.06.2019 with all service and monetary benefits.

For Petitioner : Dr.Xavier Arulraj, Standing Counsel
for Father Xavier Associates

For R1 to R4 : Mr.M.Alagu Goutham
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents 1 to 4 to issue orders to approve the appointment of the petitioner.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 to 4 and perused the materials available on record.

3. The petitioner was appointed as B.T.Assistant (Social Science) in the fifth respondent School, with effect from 01.06.2019 in the vacancy arising out of one P.Antonious as Secondary Grade Assistant on 31.05.2018. Thereafter, the proposal for approval of her appointment as B.T.Assistant (Social Science)



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with effect from 01.06.2019 was submitted to the fourth respondent on 15.10.2019. On receipt of the same, the fourth respondent by its communication dated 05.11.2019 sought permission from the third respondent to send the proposal of the appointment of the petitioner stating that appointment of the petitioner and her certificates are in order. However, thereafter, the fourth respondent returned the proposal for approval of the petitioner's appointment citing certain queries.

4. Again the fifth respondent re-submitted for approval of the petitioner's appointment. Again by communication dated 24.08.2021, the fourth respondent returned the proposal for approval of the petitioner's appointment. Once again, the fourth respondent directed the fifth respondent to submit another proposal after Staff fixation for the academic year 2021-2022. Accordingly, the fifth respondent had sent a proposal for approval of the petitioner's appointment to the fourth respondent. The fourth respondent by its proceedings dated 21.09.2022 forwarded the same to the third respondent. However, it is still pending.

5. Considering the above facts and circumstances of the case, the third and fourth respondents are directed to approve the appointment of the



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petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

22.08.2023
(1/2)

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
mn/nsl



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To
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1. The Secretary,
The Government of Tamil Nadu,
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G.K.ILANTHIRAIYAN, J.

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