



W.P.(MD)No.2561 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.(MD)No.2561 of 2023
and
W.M.P.(MD)No.2332 of 2023**

The Correspondent,
St.Ignatius Convent Higher Secondary School,
Palayamkottai - 627 002,
Tirunelveli District.

... Petitioner

Vs.

1. The Director of School Education,
College Road,
Chennai - 600 006.
2. The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
3. The District Educational Officer,
Tirunelveli,
Tirunelveli District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to approve forthwith the appointment of J.Amala Jone Leeba as B.T.Assistant (History) with effect from the date of her appointment, viz., 21.09.2017, in the petitioner School with salary and all other attendant benefits.

For Petitioner : Ms.M.F.Rooshi Maas
for M/s.Isaac Chambers

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction to the respondents 2 and 3 to approve forthwith the appointment of one Amala Jone Leeba as B.T.Assistant (History) with effect from the date of her appointment, viz., 21.09.2017, in the petitioner School with salary and all other attendant benefits.



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2. The case of the petitioner is that the petitioner School is a recognized Aided Minority Educational Institution and the said School was initially established as Primary School in the year 1921 and upgraded as Higher Secondary in the year 1978. While so, one post of Secondary Grade Teacher felt vacant on 01.06.2017 due to retirement of the then incumbent, one Rani Caroline on 31.05.2017. Hence, the petitioner School appointed one Amala Jone Leeba as B.T.Assistant (History) with effect from 21.09.2017. The Secondary Grade post was upgraded as B.T.Assistant (History) as per the Government Orders vide proceedings of the Chief Educational Officer, dated 04.12.2018. The School submitted necessary proposal to the District Educational Officer, vide letter dated 13.12.2019 for approving her appointment for the purpose of disbursement of grant-in-aid towards her salary and the same has been returned, vide proceedings dated 28.04.2019 seeking for certain additional details. Hence, the School furnished the same with suitable reply, vide letter dated 31.05.2019. The District Educational Officer again returned the proposal, vide proceedings dated 08.06.2020 raising certain queries. The School once again resubmitted the proposal to the District Educational Officer with suitable reply on



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23.06.2020. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the third respondent is directed to consider the resubmitted proposal, dated 23.06.2020, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the resubmitted proposal of the petitioner dated 23.06.2020 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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

08.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Director of School Education,
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Tirunelveli District.
3. The District Educational Officer,
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M.DHANDAPANI,J.

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