



W.P.(MD)No.14006 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.14006 of 2020

M.Subha

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Kanyakumari District.
- 2.The District Educational Officer,
Nagercoil,
Kanyakumari District.
- 3.The Correspondent,
Concordia High School,
Nagercoil 629 001,
Kanyakumari District.
- 4.The Administrator,
India Evangelical Lutheran Church,
No.47, Eldams Road,
Teynampet,
Chennai 600 018.

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to approve the appointment of the petitioner as B.T.Assistant (History) in the third respondent School from 08.06.2017 onwards with salary and other attendant benefits.

For Petitioner	:	Mr.E.V.N.Siva
For R1 & R2	:	Mr.J.Ashok Additional Government Pleader
For R4	:	Mr.H.Mohamed Imran for M/s. Ajmal Associates

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to approve the appointment of the petitioner as B.T.Assistant (History) in the third respondent School from 08.06.2017 onwards with salary and other attendant benefits.



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2. The case of the petitioner is that she was working as B.T.Assistant (History) in the third respondent School from 08.06.2017 onwards. The third respondent School submitted a proposal to the second respondent on 10.01.2018, seeking approval of her appointment as B.T.Assistant (History). The second respondent vide proceedings dated 18.01.2018, returned the proposal seeking certain documents. The third respondent School resubmitted the proposal on 06.04.2018, enclosing the required documents. However, till date no order has been passed. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to pass appropriate orders on the proposal forwarded by the third respondent dated 06.04.2018, for approval of the petitioner's appointment within a reasonable time as fixed by this Court.



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4. Per contra, the learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that till the work of deployment of surplus teachers working in the District is completed, no fresh appointment should be made and hence, no order has been passed.

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 second respondent to pass appropriate orders on the proposal dated 06.04.2018, forwarded by the third respondent School, if not already passed, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

19.01.2023

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



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To

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Kanyakumari District.
- 3.The Correspondent,
Concordia High School,
Nagercoil 629 001,
Kanyakumari District.



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M.DHANDAPANI,J.

akv

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