



W.P.(MD)No.17563 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.17563 of 2021
and W.M.P(MD).No.14427 of 2021

The Correspondent
Sacred Heart Primary School
Srivilliputtur-626 125,
Virudhunagar District.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep.by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of Elementary Education,
College Road, Chennai-600 006.
- 3.The District Educational Officer,
Sirivilliputhur, Virudhunagar District.
- 4.The Block Educational Officer,
Srivilliputhur, Virudhunagar District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent/



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District Educational Officer to approve forthwith the appointment of M.Ruby Josephin Mary as Secondary Grade Teacher in the petitioner School with effect from 23.07.2018 with salary and all other consequential benefits.

For Petitioner : Mr.K.Ragatheesh Kumar
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 third respondent/District Educational Officer to approve forthwith the appointment of one M.Ruby Josephin Mary as Secondary Grade Teacher in the petitioner School with effect from 23.07.2018 with salary and all other consequential benefits.

2. The case of the petitioner is that in the petitioner School, the post of Secondary Grade Teacher fell vacant on 01.06.2018 due to retirement of one L.Antony Suganthi. Hence, the petitioner School



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appointed one M.Ruby Josephin Mary as Secondary Grade Teacher with effect from 23.07.2018 and she joined the duty on the same day. The petitioner School has submitted the proposal to the third respondent through the fourth respondent seeking to approve her appointment and disburse grant-in-aid towards her salary. However, no order has been passed by the third respondent. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court permits the petitioner to send a fresh proposal to the third respondent through the fourth respondent and on receipt of the same, the third respondent may be directed to consider the same, 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.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, permits the petitioner to send a fresh proposal to the third respondent through the fourth respondent and on receipt of the same, the third respondent is directed to consider the same, on merits and in accordance with law, within a period of six 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. Consequently, connected miscellaneous petition is closed.

03.02.2023

ssb
NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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To:

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M.DHANDAPANI,J.

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