



WEB COPY



W.P.No.756 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM:

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

W.P.No.756 of 2024
and
W.M.P.No.775 of 2024

Sr.S.Lourd Fathima

...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,
Office of the Chief Educational Officer,
New Collectorate Campus,
Tiruppur,
Tiruppur District – 641 604.
- 4.The District Educational Officer,
Office of the District Educational Officer,
District Collectorate Campus,
Tiruppur,
Tiruppur District – 641 604.



W.P.No.756 of 2024

5.The Correspondent,
St.Aloysius Girls Higher Secondary School,
Dharapuram,
Tiruppur District – 638 656

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to issue orders, approving the appointment of the petitioner, Sr.S.Lourd Fathima, working as B.T.Assist (Social Science) in the 5th respondent St.Aloysius Girls Higher Secondary School, Dharapuram, Tiruppur District – 638 656, with effect from 01.10.2020, and release salary, with all service and monetary benefits.

For Petitioner	: Mr.Father Xavier Arul Raj Senior Counsel for M/s.Father Xavier Associates
For R1 to R4	: Mr.K.H.Ravi Kumar Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents 1 to 4 to approve the appointment of the petitioner working as P.G.Assistant (Social Science) in the fifth respondent School with effect from 01.10.2020.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as B.T.Assistant (Social



W.P.No.756 of 2024

Science) in the fifth respondent School from 26.09.2020 in the vacancy arising out of the retirement of one P.Jecintha Mary on 30.06.2019. It is a regular sanctioned post with grant-in-aid from the Government. Accordingly, the petitioner had joined the said post with effect from 01.10.2020. Thereafter, the fifth respondent had sent a proposal to appoint the petitioner in the post of B.T.Assistant (Social Science) for approval on 02.10.2020 before the fourth respondent. However, the fourth respondent, by a communication dated 19.01.2022, returned the proposal raising certain queries. The fifth respondent re-presented the proposal for approval on 11.01.2023. However, it is pending without any consideration.

4. Considering the facts and circumstances of the case, the third and fourth respondents are directed to consider the proposal sent by the fifth respondent School for approval of the appointment of the petitioner in the post of B.T.Assistant (Social Science), within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands



W.P.No.756 of 2024

disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

12.01.2024
(2/5)

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Lpp

To

1.The 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,
Office of the Chief Educational Officer,
New Collectorate Campus,
Tiruppur,
Tiruppur District – 641 604.

4.The District Educational Officer,
Office of the District Educational Officer,
District Collectorate Campus,
Tiruppur,
Tiruppur District – 641 604.

G.K.ILANTHIRAIYAN. J.



WEB COPY



W.P.No.756 of 2024

Lpp

W.P.No.756 of 2024
and
W.M.P.No.775 of 2024

12.01.2024
(2/5)