



W.P.No.1375 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM:

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

**W.P.No.1375 of 2024**  
**and W.M.P.No.1406 of 2024**

L.Edmund Christopher

...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,  
New Collectorate Campus,  
Finger Post, Ooty,  
The Nilgiris-643 006.
4. The District Educational Officer (Secondary),  
The Office of the District Educational Officer,  
New Collectorate Campus,  
Finger Post, Ooty,  
The Nilgiris-643 006.



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5. The Correspondent,  
St.Joseph's Higher Secondary School,  
St.Mary's Hill, Wood Coke Road,  
Ootacamund,  
The Nilgiris-643 001.

... 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, Mr.L.Edmund Christopher, working as Drawing Teacher in the 5<sup>th</sup> respondent St.Joseph's Higher Secondary School, St. Mary's Hill, Wood Coke Road, Ootacamund The Nilgiris- 643 001, w.e.f.01.06.2020 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.S.Rajesh  
Government Advocate

### **ORDER**

This writ petition has been filed for direction directing the respondents 1 to 4 to issue orders, approving the appointment of the petitioner, Mr.L.Edmund Christopher, working as Drawing Teacher in the 5<sup>th</sup> respondent St.Joseph's Higher Secondary School, St. Mary's Hill, Wood Coke Road, Ootacamund The Nilgiris- 643 001, w.e.f.01.06.2020 and release salary, with all service and monetary benefits.



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

3. The petitioner was appointed as Drawing Teacher by an order dated 30.05.2020 in the fifth respondent school in the vacancy arising out of the retirement of one Mr. Antony Charles, on 30.09.2019. The staff fixation for the fifth respondent school for the academic year 2019-2020 and 2023-2024, clearly reveal the eligibility for the said post from the records issued by the competent education authorities. Accordingly, the petitioner had joined in the fifth respondent school as Drawing Teacher, with effect from 01.06.2020. Thereafter, the fifth respondent had sent a proposal for approval of appointment of the petitioner as Drawing Teacher to the third respondent, on 01.06.2020. However, after a period of two years, the fourth respondent had returned the proposal by its communication dated 19.03.2022, thereby raised some queries. The fifth respondent complied with all the queries and resubmitted the proposal for approval on 17.05.2023. Once again, the fourth respondent by its proceedings dated 10.08.2023, returned the proposal without approval raising other queries. Therefore, the fifth respondent complied with the said queries and resubmitted the proposal for approval on 03.10.2023, before the third respondent and it is pending.



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4. Considering the above facts and circumstances of the case, the third respondent is directed to pass appropriate orders on the proposal sent by the fifth respondent for approval of appointment of the petitioner as Drawing Teacher in the fifth respondent School, with effect from 01.06.2020, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

23.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1. The Principal Secretary,  
The Government of Tamil Nadu,  
Department of School Education,  
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2. The Director of School Education,  
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3. The Chief Educational Officer,  
The Office of the Chief Educational Officer,  
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The Nilgiris-643 006.
4. The District Educational Officer (Secondary),  
The Office of the District Educational Officer,  
New Collectorate Campus,  
Finger Post, Ooty,  
The Nilgiris-643 006.
5. The Correspondent,  
St.Joseph's Higher Secondary School,  
St.Mary's Hill, Wood Coke Road,  
Ootacamund,  
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**G.K.ILANTHIRAIYAN. J,**

mn

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