



W.P.No.3218 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3218 of 2024 and
W.M.P.No.3476 of 2024

K.Annie Patricia

...Petitioner

-Vs-

1. The Government of Tamilnadu,
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 District Educational Officer, (Elementary & Anglo-Indian)
The Office of the District Educational Officer,
Triplicane, Chennai-600 005.
4. The correspondent,
St., Francis Anglo-India Girls' High School,
1591, Trichy Road, Coimbatore-641 018.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to issue orders to approve the appointment of the petitioner, Mrs.K.Annie Patricia, working as Lab Assistant in the 4th respondent St.Francis Anglo-Indian Girls' High School, 1591, Trichy Road, Coimbatore-641 018, w.e.f., 02.12.2019 and release salary, with all service and monetary benefits.

For petitioner : Mr.Father Xavier Arulraj
Senior Counsel for
Father Xavier Associates

For respondents 1 to 3 : Mrs.S.Mythereye Chandru

ORDER

This writ petition has been filed for direction directing the respondents to approve appointment of the petitioner as Lab Assistant in the 4th respondent school with effect from 02.12.2019.

2. The 4th respondent school is coming under the minority educational institution and governed under Article 30(1) of the Constitution of India. The petitioner was appointed as Lab Assistant in the 4th respondent's school with effect from 02.12.2019 in the vacancy arising out of the retirement of one mrs.A.Josephine Mary. It is a regular sanctioned post with Grant-in-Aid from the Government. After the appointment of the



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petitioner, the 4th respondent sent a proposal requesting the approval for the appointment of the petitioner on 02.12.2019. However, it was returned by its communication dated 06.07.2021 raising certain queries. The 4th respondent complied with the queries and resubmitted the proposal for approval of the petitioner's appointment. Once again, the Chief Educational Officer, Coimbatore returned the said proposal by its communication dated 18.07.2022 and raising additional queries. Thereafter, the 4th respondent after complied with the queries and requested for approval to the appointment of the petitioner on 18.01.2023. However, it is pending without passing any order.

3. Therefore, considering the above facts and circumstances, the 3rd respondent is directed to consider the proposal sent by the 4th respondent for approval of the petitioner's appointment to the post of Lab Assistant with effect from 02.12.2019 on merits in accordance with law within a period of eight weeks from the date of receipt of copy of this order. It is also made clear that the 4th respondent is directed to submit additional documents if any required by the 3rd respondent while considering the proposal.



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4. With the above direction, this writ petition is disposed of.

Consequently, connected miscellaneous petition is closed. No costs.

14.02.2024

Index : Yes/No
Internet: Yes/No
gvn



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To

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G.K.ILANTHIRAIYAN,J.
gvn

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