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W.P.No.3743 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM:

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

W.P.No.3743 of 2024 and
WMP.No.4050 of 2024

Sr.S.Arockia Nisha

... 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 Chief Educational Officer,
The Office of the Chief Educational Officer,
Ariyalur Taluk,
Ariyalur District 621 701
- 4.The District Educational Officer(Secondary),
Office of the District Educational Officer,
Ariyalur Taluk,
Ariyalur District 621 704
- 5.The Correspondent,
Fatima Girls' Higher Secondary School,
T.Palur Road, Udayarpalayam Taluk,
Jayankondam 621 802
Ariyalur District

... Respondents



W.P.No.3743 of 2024

WEB COPY

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing respondents 1 to 4 to issue orders, approving the appointment of the petitioner, Sr.S.Arockia Nisha, working as B.T.Assistant (Science) in the fifth respondent Fatima Girls' Higher Secondary School, T.Palur Road, Udayarpalayam Taluk, Jayankondam 621 802, Ariyalur District w.e.f. 12.06.2023 and release salary, with all service and monetary benefits.

For Petitioner : Mr.Father Xavier Arulraj,
Senior Counsel
for M/s.Father Xavier Associates

For Respondents
For R1 to 4 : Mrs.S.Mythereye Chandru,
Special Government Pleader

ORDER

This writ petition has been filed for direction to respondents 1 to 4 to accord approval for appointment of the petitioner in the post of BT Assistant (Science) in the fifth respondent School with effect from 12.06.2023.



W.P.No.3743 of 2024

WEB COPY

2. The fifth respondent School is a minority educational institution, governed under Article 30(1) of the Constitution of India. The petitioner was appointed as BT Assistant (Science) in the fifth respondent School on 11.06.2023 in the vacancy arose out of the retirement of one, Mrs.K.Sindhamani on 31.05.2023. It is a regular sanctioned post with Grant in Aid from the Government. The staff fixation for the fifth respondent School for academic years 2022-23 to 2023-24, clearly reveals the eligibility for the said post from the records. Accordingly, the petitioner had joined in the post of BT Assistant (Science) on 12.06.2023. Thereafter, the fifth respondent had sent proposal for approval of appointment of the petitioner in the post of BT Assistant (Science) with effect from 12.06.2023 to the respondent concerned. However, it has not been considered so far. As such, it is pending.

3. Considering the above, the fourth respondent is directed to consider the proposal sent by the fifth respondent and approve the appointment of the petitioner to the post of BT Assistant(Science) with effect from 12.06.2023, if it is otherwise in order.



W.P.No.3743 of 2024

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

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

16.02.2024

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order
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W.P.No.3743 of 2024

WEB COPY

To

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4. The District Educational Officer(Secondary),
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G.K.ILANTHIRAIYAN, J.

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W.P.No.3743 of 2024

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