



W.P.No.9249 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.03.2024

CORAM

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.No.9249 of 2021 and**  
**W.M.P.No.9800 of 2021**

Mrs.A.Mary

... Petitioner

Vs.

1.The Union Territory of Puducherry,  
Rep. by its Secretary,  
Department of Education,  
Secretariat, Puducherry 605 001.

2.The Director of School Education,  
Government of Puducherry,  
Directorate of School Education,  
Puducherry 605 005.

3.The Senior Accounts Officer,  
Government of Puducherry,  
Directorate of School Education,  
Puducherry 605 005.

4.The Chief Educational Officer,  
CEO's Office,  
Tahlatheru, Nehru Nagar,  
Karaikal.

5.The Correspondent,  
St.Joseph's Govt. Aided Girls' English Primary School,  
Nehru Street, Karaikal - 609 602.

... Respondents



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**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to accord approval to the appointment of the petitioner Mrs.A.Mary, working as PST in St.Joseph's Government Aided Girls' English Primary School, Nehru Street, Karaikal 609 602, with effect from 01.06.2016 with all service and monetary benefits.

For Petitioner : Ms.A.Arul Mary

For Respondents : Mr.Ramasamy Meyappan, GA for R1  
Mr.R.Sridhar, AGP for R3  
Mr.Syed Mustafa, SGP for R2,R4 & R5

### **ORDER**

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to accord approval to the appointment of the petitioner Mrs.A.Mary, working as PST in St.Joseph's Government Aided Girls' English Primary School, Nehru Street, Karaikal 609 602, with effect from 01.06.2016 with all service and monetary benefits.

2. Heard Ms.A.Arul Mary, learned counsel for the petitioner, Mr.Ramasamy Meyappan, learned Government Advocate for R1



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Mr.Syed Mustafa, learned Special Government Pleader for R2,R4 & R5  
and Mr.R.Sridhar, learned Additional Government Pleader for R3.

3. The learned counsel for the petitioner submitted that the petitioner is a qualified teacher with D.T.Ed., certificate and also qualified in CTET examination. She was appointed as Primary School Teacher in St.Joseph's Government Aided Girls English Primary School with effect from 01.06.2016. The said post is a sanctioned post and the petitioner is also working in the said post without any break. The fifth respondent School is a minority educational institution. Despite the fifth respondent School had sent a proposal to the second respondent seeking approval to the appointment of the petitioner with all required documents on 14.10.2016 itself, no approval has been accorded so far.

4. Since the petitioner has been appointed as early as in the year 2016 and has been working in the fifth respondent School without any break, it is obligatory on the part of the second respondent to consider the proposal sent by the fifth respondent School seeking approval. The fifth



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respondent did not have any objection to the submission made by the petitioner that the post against which the petitioner got appointed was a sanctioned post. In such case, the prayer of the petitioner has to be considered positively.

**5.** In the result, this Writ Petition is disposed and the respondents 1 to 3 are directed to accord approval to the appointment of the petitioner in the fifth respondent School, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No  
Speaking / Non-speaking  
Neutral Citation : Yes / No  
gsk

**12.03.2024**



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To

WEB COPY

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- 2.The Director of School Education,  
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**R.N.MANJULA, J.**

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