



W.P.No.22190 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

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

W.P.No.22190 of 2024

H.Bharathi Prathipa

... Petitioner

Vs

- 1.Chief Educational Officer,
Ooty, The Nilgiris District
- 2.The District Educational Officer,
Coonoor,
The Nilgiris District
- 3.The Block Educational Officer,
Range-1, Coonoor,
The Nilgiris District
- 4.The Correspondent,
CSI Primary School,
Kodamalai Estate Coonoor,
The Nilgiris District

..... Respondents

Prayer :

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order issued by the third respondent vide proceeding Na.Ka.No.596/A2/2024 dated 02.07.2024, quash the same and consequently direct the respondent to approve the appointment of petitioner as Head Mistress of CSI Primary School, Kodamalai Estate, Connor, The Nilgiris District with effect from 01.06.2024 and give all



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consequential benefits, and within a time to be stipulated by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents

For R1 to 3 : Mrs.P.Rajeswari,
Government Advocate

ORDER

This writ petition is filed challenging the order passed by the third respondent dated 02.07.2024 thereby returned the proposal sent by the fourth respondent for approval of the petitioner's appointment for the post of Headmistress of the fourth respondent school.

2. The petitioner was appointed as Secondary Grade Teacher in the fourth respondent school in the vacancy arose by promotion of Secondary Grade Teacher to the post of Headmistress on 10.01.2012. Her appointment was regularised after long battle. Subsequently, the petitioner was promoted to the post of Headmistress in the fourth respondent school on 21.05.2024. Thereafter, the fourth respondent school had sent proposal for approval of her appointment to the post of Headmistress on 07.06.2024 through the third respondent. The third respondent is only a forwarding authority. However, the third respondent



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returned the proposal sent by the fourth respondent on the ground that already the writ petition filed by the petitioner is pending in WP.No.34200 of 2016.

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. On perusal of records, the writ petition in WP.No.34200 of 2016 was already disposed of and the petitioner's appointment as Secondary Grade Teacher was already approved. Therefore, the reasons stated by the third respondent is without application of mind and the third respondent has no jurisdiction to return the proposal sent by the fourth respondent.

5. In view of the above, the impugned order passed by the third respondent dated 02.07.2024 is quashed. The third respondent is directed to forward the proposal to the second respondent for approval of the petitioner's appointment to the post of Headmistress within a period of two weeks from the date of receipt of copy of this order. On receipt of the same, the second respondent is directed to consider the proposal and pass



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orders on merits and in accordance with law within a period of four weeks thereafter.

6. With the above directions, this writ petition stands allowed.

There shall be no order as to costs.

01.08.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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