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Writ Petition No.26068 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26068 of 2024

D.Juliet

W/o.M.Jayakumar

... Petitioner

Vs.

1.The Director of Elementary Education,
D.P.I.Buildings, College Road,
Egmore, Chennai - 6.

2.The District Educational Officer,
Villupuram District,
Villupuram - 605 602.

3.The Block Educational Officer-II,
O/o.Block Educational Officer,
Thiruvannainallur,
Villupuram District - 607 203.

4.The Correspondent,
Danish Mission Elementary School,
Elandurai Village, Thiruvannainallur Taluk,
Villupuram District - 607 203.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings dated 26.02.2024 in Na.Ka.No.1310/Aa-2/2024 on the file of third respondent, quash the same and consequently, direct the respondents to grant approval for



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appointment of Tmt.D.Juliet as Secondary Grade Assistant with effect from 07.08.2023 with all service and monetary benefits in the fourth respondent school.

For Petitioner : Mr.G.Anandaraj

For Respondents : Mrs.S.Mythreya Chandru
Special Government Pleader [R1 to R3]

ORDER

Considering the fact that the issue involved in the writ petition is squarely covered by the earlier order passed by this Court, the main writ petition itself is taken up for final hearing.

2. This writ petition has been filed challenging the proceedings of the third respondent dated 26.02.2024 and for a consequential direction to respondents to grant approval for appointment of the petitioner as Secondary Grade Assistant with effect from 07.08.2023. The fourth respondent school had also forwarded the proposal to the respondents 2 and 3 seeking for sanction of the appointment made in favour of the petitioner.

3. The grievance of the petitioner is that the third respondent, through impugned proceedings dated 26.02.2024, has rejected the



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proposal and has returned back the file to the fourth respondent by quoting G.O.Ms.No.165, dated 17.09.2019. Aggrieved by the same, the present writ petition has been filed before this Court.

4. In the considered view of this Court, the proceedings of the third respondent dated 26.02.2024, on the face of it, is unsustainable and illegal. This is in view of the fact that G.O.Ms.No.165, dated 17.09.2019, has been declared to be inoperative by the Division Bench of this Court in W.A.(MD) No.76 of 2019, dated 31.03.2021.

5. In the light of the above discussion, the impugned proceedings of the third respondent dated 26.02.2024 is hereby quashed. The matter is remitted back to the file of second respondent to consider the approval of appointment of the petitioner in the fourth respondent school. The fourth respondent school is directed to immediately represent the papers to second respondent and the second respondent shall pass orders on its own merits and in accordance with law within a period of four (4) weeks from the date of receipt of the file from the fourth respondent school.

N.ANAND VENKATESH, J



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In the result, this writ petition is allowed with the above direction. No costs.

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Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

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