



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.31040 of 2024
and W.M.P.No.33663 of 2024

Mr.L.Suresh Kumar

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
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,
Office of the Chief Educational Officer,
Collectorate, 5th Floor,
Thirupathur – 635 601,
Thirupathur District.
- 4.The District Educational Officer (Secondary)
The Officer of the District Educational Officer,
Opp. Fire Department Office,
Thirupathur – 635 601,
Thirupathur District.



5. The Correspondent,
Mary Immaculate Girls Higher Secondary School,
London's Mission Road,
Thirupathur – 635 601,
Thirupathur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to issue orders to approve the appointment of the petitioner, Mr.L. Suresh Kumar, working as Night Watchman in the 5th respondent Mary Immaculate Girls Higher Secondary School, London's Mission Road, Tirupattur-635 601, Tirupattur District, w.e.f. 01.06.2022, and release salary, with all service and monetary benefits.

For Petitioners : Dr.Fr.Xavier Arul Raj
Senior Counsel forbearing
M/s.Father Xavier Associates

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to approve the appointment of the petitioner who is working as Night Watchman in the 5th respondent School w.e.f. 01.06.2022, and to release his salary and extend all other service and monetary benefits.



2. Heard Dr. Fr. Xavier Arul Raj, learned Senior Counsel appearing on behalf of the petitioner and Mrs. S. Mythreye Chandru, learned Special Government Pleader appearing on behalf of respondents 1 to 4.

3. The petitioner was appointed as a Night Watchman in the 5th respondent School in a vacancy that arose due to the retirement of the incumbent on 31.03.2022. The further case of the petitioner is that the said post is a sanctioned post as per the Staff Fixation Report for the academic year 2022-23 and 2023-24.

4. The proposal of the appointment of the petitioner as Night Watchman in the 5th respondent School was forwarded to the 4th respondent for approval on 13.07.2022. Even thereafter, a remainder was sent to the 4th respondent. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Taking into consideration the facts and circumstances of the case and also the materials placed before this Court, there shall be a direction to the 4th



respondent to deal with the proposal forwarded by the 5th respondent School seeking for approval of the appointment of the petitioner in the 5th respondent School as Night Watchman w.e.f 01.06.2022 and appropriate orders shall be passed, within a period of four weeks from the date of receipt of copy of this order.

6.This writ petition is disposed of with the above direction. No Costs. Consequently, connected miscellaneous petition is closed.

23.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George,
Chennai – 600 009.



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2. The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chief Educational Officer,
Office of the Chief Educational Officer,
Collectorate, 5th Floor,
Thirupathur – 635 601,
Thirupathur District.
4. The District Educational Officer (Secondary)
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N. ANAND VENKATESH, J.

ssr

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