



W.P.No.36020 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.01.2024

CORAM

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

W.P.No.36020 of 2023

and

W.M.P.No.35996 of 2023

S.Francis Augustine,
St.Antony's Higher Secondary School,
Melnariappanur-606201
Kallakurichi District.

... 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,
The Office of the Chief Educational Officer,
Kallakurichi-606 202,
Kallakurichi District.

4.The District Educational Officer,
O/o.the District Educational Officer,
Kallakurichi-606 202,
Kallakurichi District.



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5.The Correspondent,
St.Theresa High School,
Kattukunankurichi
Oomangalam Post, Vridhachalam Taluk,
Cuddalore District-607 804.

6.The Correspondent,
St.Antony's Higher Secondary School,
Melnariappanur-606201
Kallakurichi District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to accord approval to the transfer and promotion of the petitioner Mr.S.Francis Augustine, as B.T.Asst.(Tamil) in the 6th respondent St.Antony's Higher Secondary School, Melnariappanur-606 201, Kallakurichi District, w.e.f. 01.07.2022 within the same educational agency, with all service and monetary benefits.

For Petitioner	: Mr.Father Xavier Arul Raj, Senior Counsel for Father Xavier Associates
For R1 to R4	: Dr.T.Seenivasan Special Government Pleader
For R5	: Mr.S.Savarimuthu

ORDER

This Writ Petition has been filed for direction directing the respondents 1 to 4 to accord approval of the petitioner's promotion and transfer as B.T.Assistant (Tamil) in the 6th respondent School.



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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Initially, the petitioner was appointed as Secondary Grade Assistant in ST.Michael's Middle School, Krishnakuppam on 01.07.1986. Thereafter, her appointment was duly approved by the authorities. While being so, the vacancy of B.T.Assistant (Tamil) arose in the 6th respondent School, due to retirement of one A.Vanathuraj on 30.06.2022. Therefore, the Management of her School promoted the petitioner as B.T.Assistant (Tamil) and transferred to the 6th respondent School with effect from 01.07.2022. Based on the promotion and transfer, the 5th respondent relieved the petitioner and she had joined in the 6th respondent School as B.T.Assistant (Tamil) on 01.07.2022. Thereafter, the 6th respondent had sent a proposal for approval of her promotion and transfer to the 4th respondent by a proceeding dated 10.04.2023. The 4th respondent raised certain queries and sought additional details. Once again, the 6th respondent re-submitted the proposal along with necessary documents for approval. On receipt of the same, the 4th respondent forwarded the said proposal along with recommendation to the 3rd respondent for its approval. By a proceeding,



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the 3rd respondent once again raised certain queries and sought additional details. It is also duly complied with by the 6th respondent by a communication dated 04.09.2023. However, it is pending on the file of the 3rd respondent and so far, no order has been passed for approval of the petitioner's promotion and transfer. In fact, after joining in the post of B.T.Assistant (Tamil) in the 6th respondent School, the salary of the petitioner was also stopped in the post of Secondary Grade Assistant.

4. Considering the facts and circumstances of the case, the 3rd respondent is directed to pass orders on the proposal sent by the 4th respondent to accord approval of the petitioner's promotion to the post of B.T.Assistant (Tamil) and transfer to the 6th respondent School, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

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Internet : Yes

Index : Yes/No

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- 1.The Principal Secretary,
The Government of Tamil Nadu,
Department of School Education,
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- 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,
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Kallakurichi District.
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G.K.ILANTHIRAIYAN, J.

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