



W.P.No.35380 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM:

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

W.P.No.35380 of 2023

and

W.M.P.No.35353 of 2023

P.Arasi

...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,
Thirupathur – 635 601,
Thirupathur District.
- 4.The District Educational Officer,
Office of the District Educational Officer,
Collectorate,
Thirupathur – 635 601,
Thirupathur District.
- 5.The Correspondent,



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Dominic Savio Higher Secondary School,
London's Mission Road,
Tirupattur – 635 601,
Tirupattur District

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents 1 to 4 to issue orders approving the appointment of the Petitioner, Miss.P.Arasi, working as B.T.Asst (Maths) in the 5th Respondent Dominic Savio Higher Secondary School, London's Mission Road, Tirupattur – 635 601, Thirupattur District, with effect from 03.06.2019 with all service and monetary benefits.

For Petitioner : Mr.Father Xavier Arul Raj
Senior Counsel for
M/s.Father Xavier Associates

For Respondents : Mr.S.Silambarasan
1 to 4 Additional Advocate General
assisted by
Mr.S.Arumugam
Government Advocate

ORDER

This writ petition has been filed for direction to respondents 1 to 4 to issue orders approving the appointment of the petitioner in the 5th respondent's school with all service and monetary benefits.



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2. The case of the petitioner is that the petitioner was appointed as B.T.Assistant (Maths) in the 5th respondent school in the vacancy arisen out of retirement of one, Mr.Pushpanathan on 30.06.2018. The said post is a regular sanctioned post, with Grant-in-Aid from the Government. Accordingly, the petitioner was appointed with effect from 03.06.2019. The proposal of appointment of B.T.Assistant (Maths) was submitted to the 4th respondent for approval. However, it was returned on 22.10.2019 on the ground that appointment and deployment will take place during the academic years 2019-2020 as per G.O.Ms.No.165 dated 17.09.2019. However, the appointment of the petitioner is prior to the said G.O.Ms.No.165 dated 17.09.2019. Therefore, the proposal for appointment was resubmitted to the 4th respondent for approval on 25.10.2019. However, the same is pending without any consideration. Hence, the writ petition.

3. The learned Additional Advocate General appearing for the respondents 1 to 4 submitted that if the petitioner is eligible for appointment for the said post, it will be done within a stipulated time.

4. Considering, the said submission, the 4th respondent is directed to



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pass appropriate orders on the proposal sent by the 5th respondent for approval of appointment of the petitioner to the post of B.T.(Assistant) Maths on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.01.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
gvn



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WEB COPY

- To
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G.K.ILANTHIRAIYAN. J,

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