



WP(MD) No.12829of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.12829 of 2023

Louis Augustus

.. Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai-600 006.

2. The Chief Educational Officer,
Tallakulam,
Madurai-625 002.

3. The District Educational Officer,
Tallakulam,
Madurai-625 002.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to accord approval from the date of appointment of the petitioner working as BT Assistant (Maths) in St.Britto Higher



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Secondary School, Gnanaolivupuram, Madurai with effect from 15.06.2007 with all monitory and other service benefits upto 04.07.2008 based on the petitioner's representation dated 17.03.2023 within the period stipulated by this Court.

For Petitioner : Mr. Ananth C Rajesh

For Respondents : Mr. M.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.Ananth C Rajesh, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

2. The petitioner has filed this writ petition seeking Writ of Mandamus to direct the respondents to accord approval from the date of appointment of the petitioner working as BT Assistant (Maths) in St.Britto Higher Secondary School, Gnanaolivupuram, Madurai with effect from 15.06.2007 with all monitory and other service benefits upto 04.07.2008 based on the petitioner's representation dated 17.03.2023



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within the specified time.

3. The petitioner has been appointed as BT Assistant (Maths) in St.Britto Higher Secondary School, Gnanaolivupuram, Madurai on 15.06.2007 due to the vacancy arose out of the promotion of one Antony Dhanapalan, who was promoted to PG Assistant on 11.06.2007. The proposal sent for approval has not been considered by the respondents so far. Hence, this petition.

4. The learned Additional Government Pleader submitted that St. Britto Higher Secondary School, Gnanaolivupuram, Madurai was sanctioned with a post of BT Assistant (English) and without getting proper permission for subject conversion, the petitioner was appointed by the School management as BT Assistant (Maths). Thereafter the School management by placing reliance on G.O.Ms.No.144, School Education Department, dated 04.07.2008 got approval for subject conversion from the Chief Educational Officer vide his proceedings dated 12.12.2008 with effect from 04.07.2008 based on which the proposal seeking for approval for the appointment of the petitioner was



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processed on the undertaking given by the management as well as by the writ petitioner that they are agreeing for the granting of approval from the date of subject conversion, ie., with effect from 04.07.2008. However, now the petitioner claims the approval of his appointment from the date of appointment ie., from 15.06.2007 upto 04.07.2008 in this writ petition by sending a representation in the light of the order passed by this Court in W.P(MD)No.5449 of 2014 dated 03.04.2019.

5. Since the School management have got approval for subject conversion from the appropriate authority with effect from 04.07.2008, the 3rd respondent shall consider the representation of the petitioner dated 17.03.2023 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is **disposed of**. No Costs.

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Index : Yes / No
NCC : Yes / No
P JL



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WEB COPY

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R.N.MANJULA, J.

PJL

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