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W.P.(MD) No.21699 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.21699 of 2021

Our Lady of Lourdes Girls
Higher Secondary School
Kottapalayam-621 003
Trichy District
rep.by its Correspondent
Sr.Arul Josephine
D/o.A.Adaikalasamy

... Petitioner

-vs-

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

2.The Chief Educational Officer
Trichy District
Trichy

3.The District Educational Officer
Musiri Education District
Trichy District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to pass orders for granting approval of appointment of Tmt.A.Alice Helan, in the sanctioned post of B.T.Assistant (Maths) in the petitioner school from the date of appointment on 01.06.2017 with consequential and other attendant benefits including the arrears of salary from the date of initial appointment, based on the proposal submitted by the petitioner school, within a time frame to be fixed by this Court.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to grant approval for the appointment of Tmt.A.Alice Helan, in the sanctioned post of B.T.Assistant (Maths) in the petitioner – School from the date of her appointment on 01.06.2017 with consequential and other attendant benefits, including the arrears of salary



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from the date of her initial appointment, based on the proposal submitted by the petitioner – School, within a time frame to be fixed by this Court.

2. The petitioner – School has submitted a proposal to the second respondent seeking approval for the appointment of Tmt.A.Alice Helan in the sanctioned post of B.T.Assistant (Maths) from the date of her appointment on 01.06.2017 with consequential and other attendant benefits, including the arrears of salary from the date of her initial appointment. According to the petitioner – School, the said proposal has not been considered by the second respondent and under those circumstances, the petitioner – School has filed this writ petition.

3. Learned Government Advocate appearing for the respondents would submit that if a direction is issued by this Court to the second respondent to consider the proposal submitted by the petitioner – School on merits and in accordance with law within a time frame to be fixed by this Court, the second respondent will pass final orders on the said proposal.



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4. No prejudice will be caused to the respondents, if the proposal submitted by the petitioner – School, as stated supra, is directed to be considered by the second respondent, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Since this writ petition is of the year 2021 and the proposal was submitted by the petitioner – School long time back, the petitioner – School is directed to submit a fresh proposal seeking the relief as stated supra.

6. For the foregoing reasons, this Court directs the petitioner – School to submit a fresh proposal to the second respondent seeking approval for the appointment of Tmt.A.Alice Helan in the sanctioned post of B.T.Assistant (Maths) from the date of her appointment on 01.06.2017 with consequential and other attendant benefits, including the arrears of salary from the date of her initial appointment, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the said proposal, the second respondent is directed to consider the same and pass final orders on merits and in accordance with law, within a period of eight weeks thereafter.



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7. With the above directions, this writ petition is disposed of. No costs.

20.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Commissioner of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 2.The Chief Educational Officer,
Trichy District, Trichy.
- 3.The District Educational Officer,
Musiri Education District,
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ABDUL QUDDHOSE, J.

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