



W.P.(MD).No.23147 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.23147 of 2023

St.Joseph's Girls High School,
Re.p by its Correspondent,
Azhagappapuram – 629 401,
Kanyakumari District.

... Petitioner

Vs

1. The Government of Tamil Nadu,
Represented by its 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,
Nagercoil, Kanyakumari District.
4. The District Educational Officer,
The Office of the District Educational Officer,
Nagercoil, Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th respondent to act upon the proposal for approval to the appointment of the incumbent, dated



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29.11.2022 and to accord approval for the appointment of the incumbent, Mrs. S.P. Vinifred, working as Graduate Assistant in St. Joseph's Girls High School, Azhagappapuram - 629 401, Kanyakumari District, w.e.f. 16.12.2016, with all service and monetary benefits.

For Petitioner : Fr.S.Savarimuthu

For Respondents : Mr.N.Ramesh Arumugam (R1-R4)
Government Advocate

ORDER

The present writ petition has been filed for the issue of a writ of Mandamus, directing the 4th respondent to act upon the proposal for approval to the appointment of the incumbent, dated 29.11.2022 and to accord approval for the appointment of the incumbent, Mrs. S.P. Vinifred, working as Graduate Assistant in St. Joseph's Girls High School, Azhagappapuram - 629 401, Kanyakumari District, w.e.f. 16.12.2016, with all service and monetary benefits.

2.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1-4. Perused the materials on record.



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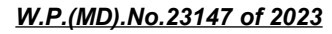
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3.The present writ petition has been filed by the petitioner seeking to approve the appointment of the incumbent, Mrs. S.P. Vinifred, working as Graduate Assistant, w.e.f. 16.12.2016.

4. A perusal of the records indicates that the approval has been questioned primarily on the ground that SLP is pending before the Hon'ble Supreme Court challenging the orders of this Court in a batch of writ appeal in W.A(MD)Nos.76 of 2019, dated 31.03.2021.

5. The pendency of the SLP before the Hon'ble Apex Court challenging the order of the Division Bench of this Court in a batch of writ appeals in W.A(MD)Nos.76 of 2019 has nothing to do with the consideration of the approval of Mrs. S.P. Vinifred, working as Graduate Assistant, in the petitioner's School.

6. In view of the above said facts, the petitioner is directed to approach the third respondent with all the relevant records to indicate that there are no surplus Graduate Assistant within the Management in the academic year 2016-2017. On receipt of the same, the third respondent is directed to issue a



6. With the above directions, this writ petition stands allowed.

12.03.2024

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To

1. The Secretary, Government of Tamil Nadu,
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,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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