



W.P.(MD)No.28822 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28822 of 2024

Manager and Correspondent
T.M.B. McAvoy Rural Higher Secondary School,
Ottapidaram-628 401,
Thoothukudi District.

... Petitioner

-VS-

1. The State of TamilNadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.

2. The Director of School Education,
College Road, Chennai-600 006.

3. The Chief Educational officer,
Thoothukudi, Thoothukudi District.

4. The District Educational Officer,
(Secondary Education),
Kovilpatti, Thoothukudi District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent Chief Educational Officer to approve forthwith the appointment of A.Jegan as BT Assistant Maths in the petitioner's school namely, T.M.B. McAvoy rural Higher Secondary School, Ottapidaram, w.e.f. 07.02.2019 and disburse the grant-in-aid towards his salary and allowance w.e.f. the said date.

For Petitioner : M/s.A.Amala

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The instant writ petition has been filed by the Management of aided minority institution seeking a mandamus as against the third respondent to approve the appointment of one A.Jegan, B.T. Assistant (Maths) in the petitioner school with effect from 07.02.2019.

2. A perusal of the records reveal that the petitioner was initially appointed as Secondary Grade Teacher and upgraded as B.T. Assistant (Maths) on 07.02.2019. The School management has forwarded a proposal for approval of the appointment of B.T. Assistant (Maths) to the third respondent on 27.03.2019. The fourth respondent has belatedly recommended



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the proposal to the third respondent by its proceedings dated 17.09.2019 for approving the appointment. Since, the third respondent has not consider the proposal, the present writ petition has been filed.

3. Considering the above said facts, this Court directs the third respondent to consider the proposal submitted by the petitioner management in the light of the recommendation made by the fourth respondent dated 17.09.2019 and pass orders appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above said observations, this writ petition stands disposed of. No costs.

03.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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To

1. The Secretary,
Department of School Education,
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College Road, Chennai-600 006.
3. The Chief Educational officer,
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