



W.P.(MD)No.29689 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29689 of 2024

Aided Muslim Committee Primary School,
Rep. by its Correspondent,
S.Sheik Shajakhan Sithik

... Petitioner

-VS-

1. The Commissioner of School Education,
O/o.The Commissioner of School Education Department,
College Road,
Chennai-6.

2. The Director of Elementary Education,
O/o.The Director of Elementary Education,
D.P.I.Complex, Chennai-600 006.

3. The District Educational Officer,
O/o.The District Educational Office,
Cheranmahadevi,
Ambasamudram Taluk,
Tirunelveli District.

4. The Block Educational Officer,
O/o.The Block Educational Office,
Ambasamudram Taluk,
Tirunelveli 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, to direct the respondents to approve the appointment of one Mrs.Asmi Fathima as Secondary Grade Teacher w.e.f. 03.07.2018 in the petitioner's school and disburse the monetary benefits along with the accrued interest for having kept the appointment unapproved.

For Petitioner : Mr.M.Ajmalkhan
Senior Counsel
for
M/s.Ajmal Associates

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

ORDER

The instant writ petition has been filed by an aided minority institution, seeking a mandamus to approve the appointment of one Mrs.Asmi Fathima as Secondary Grade Teacher with effect from 03.07.2018.

2. It could be seen from the records that with a similar prayer, the management has filed a writ petition in W.P.(MD).No.11363 of 2021. This Court allowed the said writ petition by an order dated 08.07.2021 with a direction to the authorities to approve the appointment of Mrs.Asmi Fathima from the date of her appointment. The respondent authorities have



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challenged the said order in Writ Appeal in W.A.(MD).No.2119 of 2021. The Hon'ble Division Bench of this Court was pleased to dismiss the writ Appeal on 23.06.2023. Even thereafter, the authorities have not approved the appointment of Mrs.Asmi Fathima. Hence, the present writ petition has been filed.

3. Pending writ petition, the third respondent has issued proceedings on 18.12.2024, approving the appointment of Mrs.Asmi Fathima with effect from 03.07.2018.

4. The learned Senior Counsel appearing for the writ petitioner submits that the approval order has been issued belatedly, despite the order of the Writ Court as well as the Hon'ble Division Bench of this Court. Hence, he prayed for direction to the authorities to disburse the arrears of salary at the earliest.

5. Considering, the above said facts, the respondents are directed to disburse the arrears of salary of Mrs.Asmi Fathima, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this writ petition is disposed of.

No costs.

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

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