



WEB COPY

WP NO. 10959 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08-08-2025**

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP NO. 10959 of 2024

AND

WMP NO. 12054 OF 2024

The Headmistress And Correspondent
Beschi Higher Secondary School, Ulundurpet 606 107.
Kallakurichi District.

Petitioner(s)

Vs

1. The Government Of Tamilnadu
Rep By Its Principal Secretary, Department Of School Education,
Fort St. George, Chennai 600009.

2. The Commissioner Of School Education
College Road, Chennai 600006.

3. The Chief Educational Officer
Chief Educational Office, Kallakurichi 606202.

4. The District Educational Officer
District Educational Office, Ulundurpet 606107.

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to approve forthwith the appointment of Mrs.A.Sahaya Mary as BT Assistant (Tamil) in the petitioner-school with effect from 01.12.2021 and release salary and all attendant benefits with effect from the said date by considering the petitioners proposal dated 28.10.2022.



For Petitioner(s):

Ms.H.Mary Sowmi Rexi
For M/s.Isaac Chambers

For Respondent(s):

Mr.S.Prabhakaran, Govt.Advocate For R1 To R4

ORDER

The Writ Petition has been filed praying to direct the respondents to approve forthwith the appointment of Mrs.A.Sahaya Mary as BT Assistant (Tamil) in the petitioner-School with effect from 01.12.2021 and release salary and all attendant benefits with effect from the said date by considering the petitioner's proposal dated 28.10.2022.

2.The learned counsel for the petitioner would submit that they have appointed one Sahaya Mary to the post B.T Assistant (Tamil) in the sanctioned post as the Secondary Grade Teacher, which was converted as per proceedings of the 3rd respondent in Mu.Mu. No.3885/AA5/2022, dated 29.09.2022. She would further submit that the petitioner has sent a proposal dated 28.10.2022 for approval of the above appointment.

The said proposal is pending before the 4th respondent.



3. The learned counsel for the petitioner relying upon the Judgment of the

Bench of the High Court of Madras at Madurai, in ***W.A. No.1350 of 2017*** dated

14.11.2017 reported in ***2017 SCC Online Mad 26348***, in the case "***Government of***

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Tamil Nadu, Department of School Education Vs. J.Remila and another Judgment of

this Court in W.P. No.10521 of 2024 dated 27.06.2024 in the case ***T.John Shibu***

Manick Vs. The State of Tamil Nadu and others, would submit that the respondents

cannot ask for any prior approval for the appointment of one Sahaya mary. Hence,

prays to direct the respondents to consider the petitioner's proposal dated 28.10.2022

without asking any prior approval for the appointment of Sahaya Mary.

4.At this juncture, the learned Government Advocate would submit that they would

consider the petitioner's proposal in accordance with law.

5. I have given my anxious consideration having heard both sides and perused the

materials available on record.



6. In view of the submissions of the learned Government Advocate, this Court

the 4th respondent to consider the petitioner's proposal dated 28.10.2022 for the appointment of one Sahaya Mary within a period of eight weeks from the date of receipt of copy of this order in accordance with law. However, it is made clear that the 4th respondent is directed to consider the above proposal, without insisting any prior approval for the appointment of Sahaya mary.

7. In the result, the Writ petition is disposed of with the aforesaid observations. No costs. Consequently, connected miscellaneous petition is closed.

08-08-2025

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

Lbm



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