



W.P.(MD)No.5376 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.5376 of 2025

and

W.M.P.(MD).No.3944 of 2025

M.Anto Virgin Mary

... Petitioner

Vs.

1. The Chief Educational Officer,
Tenkasi District.

2. The District Educational Officer, (Secondary),
Tenkasi, Tenkasi District.

3. The Correspondent,
St. Joseph's High School,
Vaikalipatti, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent in his proceedings Mu.Mu.No. 1023/A1/24 dated 28.01.2025 and quash the same and direct the respondents to approve the appointment of the petitioner as B.T. Assistant (Science) from the date of appointment i.e., from 22.12.2023 with all consequential benefits.



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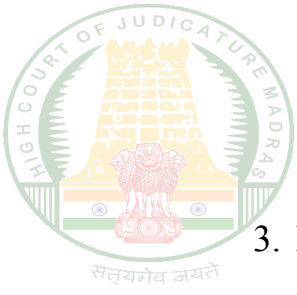
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For Petitioner : Mr.V.Panneer Selvam
For Respondent Nos.1 & 2 : Mr.M.Siddharthan
Additional Government Pleader
For Respondent No.3 : Mr.P.Sujai Krishna

ORDER

Heard the learned Counsel for the petitioner, Mr.Siddharthan, the learned Additional Government Pleader for the Respondent Nos.1 & 2 and Mr.Sujai Krishna, the learned Counsel for the third respondent and carefully perused the materials available on record.

2. The case of the petitioner is that she was appointed as a B.T. Assistant (Science) on 22.12.2023, in the third respondent school. On 20.02.2024, the third respondent school sent a proposal for the approval of appointment of the petitioner to the Respondent Nos.1 and 2 and the same was returned by the second respondent vide proceedings dated 30.01.2025 to the third respondent, seeking no surplus certificate issued by the concerned Chief Educational Officer. Aggrieved by the proceedings dated 30.01.2025 of the second respondent, the petitioner filed this present writ petition.



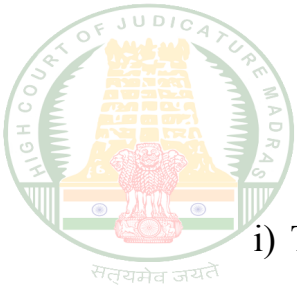
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3. During the course of hearing, the learned Counsel appearing for the third respondent submits that pursuant to the impugned order, the school management resubmitted the proposal on 07.03.2025, with the particulars sought by the second respondent in the impugned order.

4. The learned Additional Government Pleader submits that the resubmitted proposal by the school management has been received by the third Respondent only on 10.03.2025 and it will be considered in accordance with law.

5. Considering the above factual position, in our considered view that this writ petition can be disposed of with a direction to the second respondent to forward the resubmitted proposal to the first respondent and thereafter the first respondent to pass orders granting approval of the petitioner's appointment to meet the interest of justice.

6. Accordingly, this writ petition is disposed of with the following directions:



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i) The second respondent shall forward the resubmitted proposal to the first respondent within one week from the date of receipt of a copy of this order to the first respondent.

ii) On receipt of the same, the first respondent shall consider the same and pass appropriate orders to grant approval of appointment of the petitioner in accordance with law within a period of two weeks thereafter.

There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

26.03.2025
(3/4)

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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3. The Correspondent,
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BATTU DEVANAND, J.

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(3/4)