



WP(MD)No.691 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.691 of 2021

P.Usha Kumari

... Petitioner

Vs

1.The Director of School Education,
College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Kanyakumari District @ Nagercoil.

3.The District Educational Officer,
Thiruvattar,
Kanyakumari District.

4.The Headmaster,
TCK.Higer Secondary School,
Padanthalumoodu Post,
Kanyakumari District.

5.The President,
Parent Teachers Association,
TCK.Higher Secondary School,
Padanthalumoodu Post,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 3



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herein to approve the petitioner's appointment as PG Assistant (Tamil) in the sanctioned vacancy in the 4th respondent school and disburse all service and monetary benefits to her from the date of her appointment namely 01.09.2014 on the basis of the petitioner's representation made before them by RPAD dated 29.11.2018.

For Petitioner : Mr.B.Brijesh Kishore
For Respondent : Mr.R.Raja Mohan
Nos.1 & 2
For Respondent : Mr.S.C.Herold Singh
No.3

ORDER

The petitioner was appointed as Post Graduate Assistant (Tamil) in the fourth respondent School on 01.09.2014, by the fifth respondent / Parent Teachers Association, TCK Higher Secondary School, Kanyakumari District. The petitioner claims that she was accommodated in the vacancy that arose on retirement of one Mr.Devaraj. According to the petitioner, the post of PG Assistant is a sanctioned post and it fell vacant on 31.05.2013 and considering the students interest, who are studying in the School, she was appointed on 01.09.2014 and she is continuously serving in that School. Therefore, this petitioner has made a request to approve her appointment as PG Assistant (Tamil) Tamil in the



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fourth respondent school with a consequential direction to disburse the monetary benefits from the date of her appointment, i.e. on 01.09.2014.

However, the same was not considered by the respondents. Hence the petitioner is before this Court.

2.The learned Special Government Pleader appearing for the respondents submits that the appointment of the petitioner as PG Assistant (Tamil) has been made by the fifth respondent, who is not having any authority to make such an appointment. He further submits that there are litigations with regard to the administration of the School and now the administration of the School is vest with the Government on direct payment.

3.Since the appointment of the petitioner itself is disputed and the school is under the direct payment this Court is not inclined to entertain this writ petition. Accordingly this writ petition is dismissed. No costs.

02.01.2025

DSK



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