



W.P.(MD)No.13165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.13165 of 2025

and

W.M.P.(MD).No.9416 of 2025

The Correspondent,
St. Francis Higher Secondary School,
Vavarai, S.T.Mankad Post,
Kanyakumari District-629 172.

... 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,
Kanyakumari District at Nagercoil,
Kanyakumari District.
4. The District Educational Officer,
Marthandam, Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent CEO and the 4th respondent DEO to approve forthwith the appointment of D.Yandid Deva Legino as Record Clerk in the petitioner school w.e.f., 12.06.2023 with salary and all other attendant benefits.

For Petitioner : Mr.M.F.Rooshi Maas

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard the learned Counsel for the petitioner, the learned Additional Government Pleader and perused the materials available on record.

2. The petitioner school is a recognized and aided Minority Educational Institution. One post of Record Clerk in the petitioner school fell vacant on 31.05.2023, due to the retirement of the then incumbent. In the said vacancy, the petitioner school appointed one D.Yanid Deva Legino as Record Clerk with effect from 12.06.2023. Thereafter, the petitioner school submitted a proposal to the third respondent on 28.11.2023, seeking approval of his appointment and to disburse the grant-in-aid. The said proposal was kept pending with the respondents. Hence, the petitioner school submitted

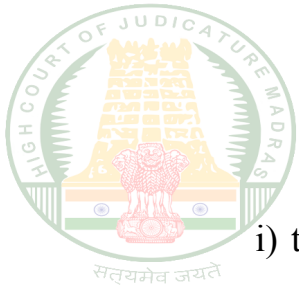


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reminders on 24.05.2024 and 03.03.2025 respectively. But, there is no response from the authorities. Aggrieved by the inaction of the third respondent in considering the proposal sent by the petitioner school on 28.11.2023, the present writ petition has been filed.

3. In view of the above facts, it appears that the school sent a proposal on 28.11.2023, seeking approval to the appointment of one D.Yanid Deva Legino as Record Clerk with effect from 12.06.2023. According to the petitioner, the said proposal was pending with the third respondent. If the contention of the petitioner is true, the said proposal is pending with the third respondent from 28.11.2023, such lethargic attitude of the third respondent has to be viewed seriously. However, considering the facts and circumstances, this writ petition can be disposed of with a direction to the third respondent to consider the proposal sent by the petitioner school on 28.11.2023 and disburse the grant-in-aid towards salary.

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



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i) the third respondent is directed to consider the proposal sent by the petitioner school on 28.11.2023, seeking approval to the appointment of D.Yanid Deva Legion as Records Clerk and disburse the grant-in-aid within a period of four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

30.04.2025

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



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BATTU DEVANAND, J.

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