

(2007) 09 MAD CK 0105

In the Madras High Court

Case No : Writ Petition No. 48920 of 2006 and WP.MP. No. 3 of 2006

R. Jayanthi

APPELLANT

Vs

The Director of Elementary Education, The District
Elementary Educational Officer and The Assistant Elementary
Educational Officer

RESPONDENT

Date of Decision : 11-09-2007

Acts Referred:

Citation : (2007) 09 MAD CK 0105

Hon'ble Judges : M. Chockalingam, J

Bench : Single Bench

Advocate : M. Ravi, for the Appellant; A. Vijayakumar, Government Advocate for Respondent Nos. 1 to 3, for the Respondent

Judgement

M. Chockalingam, J.—This writ petition has been brought forth by the petitioner seeking to issue a writ of mandamus directing the

respondents to temporarily promote the petitioner as Elementary School Headmaster in Tharamangalam Panchayat Union Unit pending orders on

regularisation of the petitioner appointment with effect from 5.3.1997 and thereafter to regularly promote the petitioner with effect from the date of

such temporary appointment and to further direct the respondents to desist from promoting any junior to the petitioner as Elementary School

Headmaster till such time.

2. Affidavit filed in support of the writ petition is perused.

3. The Court heard the learned Counsel on either side.

4. The only grievance ventilated by the petitioner is that on the death of her husband who was serving as Police Constable in Kodaikannal Police

Station, Dindigul, the petitioner applied for the appointment as Secondary Grade

Teacher on compassionate ground, since she has requisite qualification. Her application was forwarded to the Education department by the Director General of Police, Chennai and she was appointed as Secondary Grade Teacher at Tharamangalam Panchayat School, Salem and she also joined duty on 5.3.1997. From the said date, she has been rendering her service as Secondary Grade Teacher for more than a decade, but her services has not been regularised. She has sent several representations, but the same were not considered till date. The second respondent by his letter dated 7.9.2006 has submitted a proposal in this regard. But certain defects were noticed and again it was re-presented Under such circumstances, it was kept pending for a long time. Hence it has become necessary to file the above writ petition seeking for the relief as extracted above.

5. Learned Counsel for the respondents would submit that the petitioner was appointed as Secondary Grade Teacher on the death of her husband

who was working as Police Constable in the Kodaikanal Police Station and the petitioner joined duty as Secondary Grade Teacher from 5.3.1997

onwards on compassionate ground. But, her services were not regularised. Now it is submitted that the proposals were sent and it is in the hands

of the Government and orders have to be passed in this regard.

6. Taking into consideration the facts and circumstances of the case, this Court is of the opinion that since the matter is pending with the

Government, no question of regularisation of the petitioner would arise now. Recording the said submission of the learned Additional Government

Advocate, this writ petition is disposed of. No costs. Consequently, WP.Mp. No. 3 of 2006 is closed.