

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27935 of 2015

The Correspondent, Mr. Ethirajan,
Ayyan Thiruvalluvar Middle School,
Adambakkam, Chennai - 600 088 ... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009
2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006
3. The District Elementary Educational Officer,
Kancheepuram District, Kancheepuram
4. The Additional Elementary Educational Officer,
Chitlapakkam, College Road,
Chennai - 600 064 ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to take suitable action to deploy the surplus teachers in petitioner's school as per fixation order passed by the third respondent in Fixation Order bearing No.4659/B4/2012, dated 20.03.2013 and to take action, as per the proceedings of the fourth respondent in Letter No.Oo.Mu.No.4298/A3/2012, dated 06.12.2013.

For Petitioner : Mr. S.Veeraraghavan

For Respondents : Mr. N.Srinivasan, AGP.,

O R D E R

Admit. Mr.N.Srinivasan, learned Additional Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The grievance expressed by the petitioner / Institution is that, three surplus teachers are available in its institution and though representations, dated 23.10.2013 and 08.01.2014 were submitted

to respondents 3 and 4, no action has been taken and hence, the petitioner has come forward to file this writ petition.

3. Heard the learned counsel for both sides.

4. The learned counsel for the petitioner would submit that the third respondent, vide communication, dated 06.12.2013, has informed the petitioner that for deployment of surplus teacher, after obtaining appropriate orders from the second respondent, steps will be taken and though nearly two years had lapsed, no steps have been taken to deploy the surplus teachers and hence, prays for appropriate orders.

5. Per contra, the learned Additional Government Pleader appearing on behalf of the respondents would submit that there is an inter-se dispute between the alleged surplus teachers and the petitioner / Institution and the matter will be looked into by the third respondent in the near future.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to act on the representation, dated 23.10.2013, submitted by the petitioner, in accordance with law, (after taking note of his own communication, dated 06.12.2013) and pass orders, after putting on notice to the persons concerned, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the persons concerned.

7. This writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

srk

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai - 600 009

2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

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3. The District Elementary Educational Officer,
Kancheepuram District, Kancheepuram

4. The Additional Elementary Educational Officer,
Chitlapakkam, College Road,
Chennai - 600 006

+1 cc to Mr.S.Veeraraghavan, Advocate, sr.47890

+1 cc to Govt.Pleader, sr.48287

W.P.No.27935 of 2015

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