

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15173 of 2016

M.Afsar Basha
President
Parent Teacher Association,
Government Muslim High School ... Petitioner

vs.

- 1.State of Tamil Nadu
rep. by the Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
- 2.The Director of School Education,
DPI Campus,
College Road,
Chennai- 600 006.
- 3.The Chief Educational Officer,
Chennai - 600 015. Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider and decide the representation of the petitioner dated 13.06.2015 on merits and in accordance with law within a reasonable time as may be determined by this Court.

For Petitioner : Mr.M.Radhakrishnan
For Respondents : Mrs.M.E.Rani Selvam, AGP

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider and pass orders on his representation dated 13.06.2015 on merits and in accordance with law within a reasonable time as may be fixed by this Court.

2. According to the petitioner, the Government Muslim High School is located at No.71, Taher Sahib Street, Anna Salai, Chennai-600 002 and it has 34 teachers, 1 Office Assistant and 7 Child Assistants, who were duly appointed by the Parent Teacher Association of the School. With the active support of the Parent

Teacher Association and the dedication of the Teachers appointed by the Parent Teacher Association, the School has become one of the best Government Schools in the area.

3. Now the grievance of the petitioner is that the teachers appointed by the Parent Teacher Association are competent to enlighten the students in Islamic Studies, whereas, many teachers appointed by the Government on deputation or by way of direct recruitment do not know the basic of Islamic Studies and they find it difficult to teach the rudiments of Islamic studies and the cultural traits of Muslims, due to which, the interest of the students is greatly affected. Apart from that, the teachers appointed by the Parent Teacher Association are not getting their salary from the Government and they are paid by the Parent Teacher Association. Even other staffs of the School, such as, Office Assistants and Child Assistants are paid their salary only by the Parent Teacher Association. Hence, the petitioner made a representation dated 13.06.2015 to the respondents requesting to appoint the teachers in consultation with the Parent Teacher Association and also reimburse the salary paid to the teachers and staffs of the school by the Parent Teacher Association. As there was no response with regard to his representation, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner dated 13.06.2015, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rk

To

1.The Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

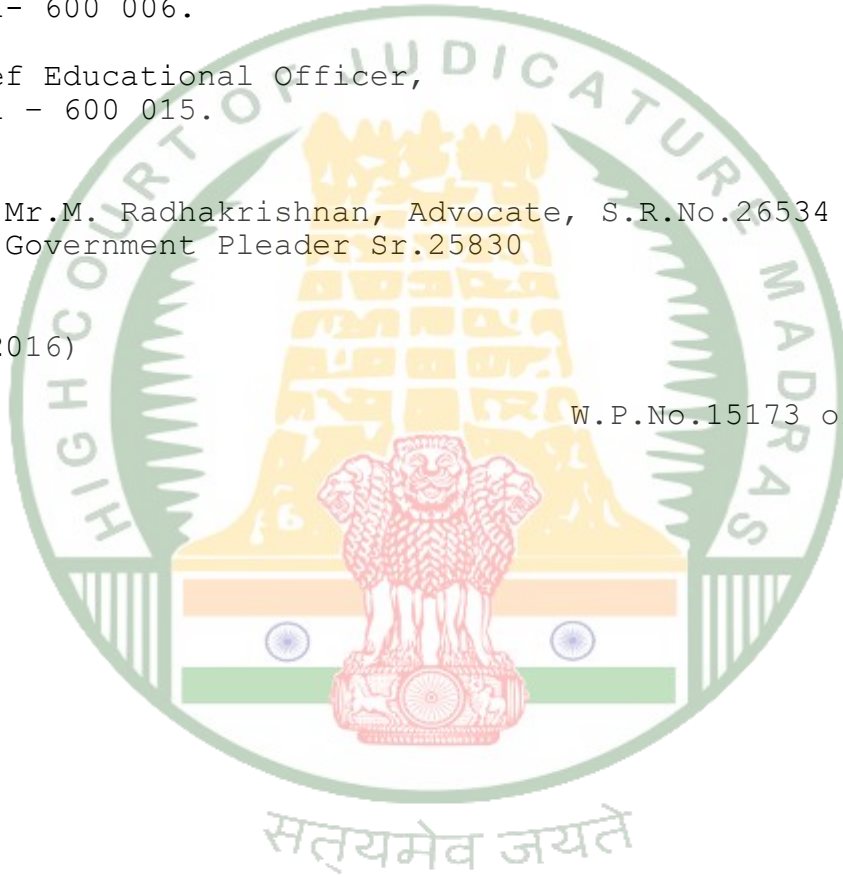
2.The Director of School Education,
DPI Campus, College Road,
Chennai- 600 006.

3.The Chief Educational Officer,
Chennai - 600 015.

+ 1 cc to Mr.M. Radhakrishnan, Advocate, S.R.No.26534
+ 1 cc to Government Pleader Sr.25830

SSK(CO)
EU(03/06/2016)

W.P.No.15173 of 2016



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