

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.25778 of 2012
& M.P.No.1 of 2012

Pari Aided Middle School,
Rep.by the Secretary, G.Pari,
Veeramudaiyanatham,
Chidambaram Taluk,
Cuddalore District.

... Petitioner

Vs.

1. The Director of Elementary Education,
College Road, Chennai - 600 006.
2. The District Elementary Educational Officer,
Cuddalore.
3. The Additional Assistant Elementary
Educational Officer,
Bhuvanagiri - 608 601.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the second respondent in Na.Ka.No.2964/A7/2012 dated 21.08.2012 and quash the same and direct the respondents to grant permission to fill up the post of B.T.Assistant (Maths) and Secondary Grade vacancy arises due to resignation of one P.Somasundaram, B.T.Assistant (Maths) on 30.12.2008 and retirement of S.Sachithanandam, Secondary Grade Teacher on 31.05.2008 respectively.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the second respondent in Na.Ka.No.2964/A7/2012 dated 21.08.2012 and quash the same and direct the respondents to grant permission to fill up the post of B.T.Assistant (Maths) and Secondary Grade vacancy arises due to resignation of one P.Somasundaram, B.T.Assistant (Maths) on 30.12.2008 and retirement of S.Sachithanandam, Secondary Grade Teacher on 31.05.2008 respectively.

2.Today when the matter is taken up for consideration, the learned Government Pleader appearing for the respondents would bring to the notice of this Court that in the current year i.e. 2016-17 the school total strength itself is only 129 students and therefore, the staff strength equation is correct and additional staff strength could not be sanctioned.

3.The learned counsel appearing for the petitioner would contend that whenever the staff strength increases it is open for the respondents to bring notice to the Government and pass orders in accordance with law.

4.Considering the submissions made on either side, this Court, directs the respondents, to consider the case of the petitioner whenever the staff strength increases and pass appropriate orders, on merits and in accordance with law. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sri

To

1. The Director of Elementary Education,
College Road, Chennai - 600 006.

2. The District Elementary Educational Officer,
Cuddalore.

3. The Additional Assistant Elementary
Educational Officer,
Bhuvanagiri - 608 601.

+1cc to Mr.S.N.Ravichandran, Advocate, S.R.No.33967
+1cc to the Government Pleader, S.R.No.34124

W.P. No.25778 of 2012

LRS (CO)
CA(19/07/2016)



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