

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.31149 of 2017

M.K.Malarkodi

.. Petitioner

-vs-

1. The Director of Elementary Education
College Road, DPI Campus
Chennai 600 006
 2. The Elementary Educational Officer
College Road, DPI Campus
Chennai 600 006
 3. The Assistant Elementary Educational Officer
Purasaiwalkam
Chennai 600 012
 4. Manager/Correspondent
D.S.Memorial Middle School
Ramalingapuram
Chennai 600 012
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 2 to consider and pass orders based on the representation of the petitioner dated 6.7.2017 seeking absorption of post in terms of Section 26 of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 forthwith.

For Petitioner :: Mr.P.Ebenezer Paul

For Respondents :: Mr.R.A.S.Senthilvel
Additional Government Pleader
for R1 to 3

ORDER

This writ petition has been filed by Mrs.M.K.Malarkodi, who is working as a Secondary Grade Teacher in D.S.Memorial Middle School, Ramalingapuram, Chennai, the fourth respondent herein, seeking a direction to the respondents 1 and 2 to consider her representation.

2. Learned counsel for the petitioner submitted that the petitioner was appointed as a Secondary Grade Teacher through the employment exchange in a sanctioned post and her appointment also was approved by the second respondent by proceedings dated 1.4.2010 with effect from 22.6.2009 and she is also receiving the salary from the fourth respondent school. But her grievance shows that in view of the decrease in the students strength in the fourth respondent school, as there are only 40 students, the management has been informed by the educational authorities to close down the school from the academic session 2018-19 commencing from 1.6.2018. Therefore, as per Section 26 of the Tamil Nadu Recognised Private Schools (Regulation) Act, all the teachers working in the fourth respondent school including the petitioner are to be re-deployed in other schools by the department, wherever they come across any needy school to accommodate them. In this regard, the petitioner has also given her representation on 6.7.2017 and the same also has been acknowledged by the respondents 1 to 3.

3. Mr.R.A.S.Senthilvel, learned Additional Government Pleader, taking notice on behalf of the respondents 1 to 3, sought time to consider the representation of the petitioner on merits.

4. In view of the above, the respondents 1 and 2 are hereby directed to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Deputy Registrar

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

ss

To

1. The Director of Elementary Education
College Road, DPI Campus
Chennai 600 006
2. The Elementary Educational Officer
College Road, DPI Campus
Chennai 600 006

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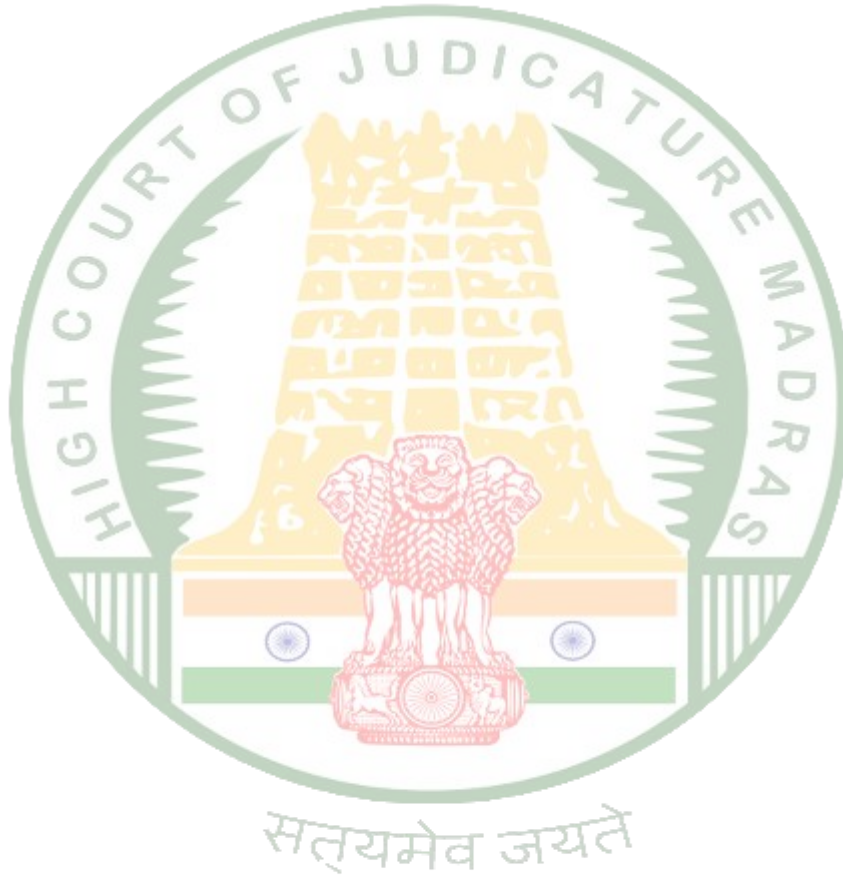
3. The Assistant Elementary Educational Officer
Purasaiwalkam
Chennai 600 012

+ 1 cc to Mr.P.Ebenezer Paul Advocate,SR.85562

+ 1 cc to The Govt.Pleader, SR.85838

W.P.No.31149 of 2017

NR 18/12/2017



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