

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2017

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.9387 of 2010

and

M.P.No.1 of 2010

P.G.Manuel Stephens,
Secretary & Correspondent
Chandra Deva Prasad,
Aided Middle School,
Maravanery,
Salem - 636 007.

... Petitioner

vs

- 1.The Director of Elementary Education,
College Road, Chennai - 6.
- 2.The District Elementary Educational Officer,
Salem District - 7.
- 3.The Additional Assistant
Elementary Educational Officer,
Salem Township,
Salem District.

... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India to issue order of directions or writ order in the nature of appropriate writ in particulars a writ of Certiorari calling for the entire records connected with the impugned order passed by the 2nd respondent in Na.Ka.No.6349/A1 (24)/2009 dated 16.12.2009 and quash the same.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader

O R D E R

The prayer sought for in this Writ Petition for issuance of order of directions or writ order in the nature of appropriate writ in particulars a writ of Certiorari calling for the entire records connected with the impugned order passed by

the 2nd respondent in Na.Ka.No.6349/A1(24)/2009 dated 16.12.2009 and quash the same.

2.Though the petitioner has challenged the order by which the ratio of the teachers have been fixed as per the existing rules stating that they are entitled for more teachers, after enactment of RTE Act 2009, every school is entitled to have one teacher for thirty students as per the schedule one of the Act. Therefore the respondents are directed to review the position based on the present strength of the students and fix the number of teachers as per the New Act. The exercise has to be done within eight weeks from the date of receipt of a copy of this order. Till such review is made and a decision is taken, the present position shall continue.

3.The respondents are directed to conduct an inspection in the petitioner School and find out the number of students studying in each class and thereafter decide about the number of teachers for which the petitioner School is entitled to as per the strength of students. Further, it goes without saying that the inspection has to be done as per Section 25 of the RTE Act 2009, to decide about the strength of the teachers.

4.With the above observations, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Director of Elementary Education,
College Road, Chennai - 6.
2. The District Elementary Educational Officer,
Salem District - 7.
3. The Additional Assistant
Elementary Educational Officer,
Salem Township,
Salem District.

+1cc to Government Pleader in sr.no.52537

W.P.No.9387 of 2010

RV(CO)
NR 24/08/2017