

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22235 of 2013

and

M.P.No.1 of 2013

Vallalar Aided Primary School,
Rep.by its Secretary,
Murugamangalam,
Nagapattinam District.

.. Petitioner

vs

1.Director of Elementary Education,
Chennai-600 006.

2.District Elementary Educational Officer,
Nagapattinam, Nagapattinam District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the 1st respondent in his proceedings Na.Ka.No.626/G2/2013 dated 10.06.2013 and quash the same, and direct the respondents to restore the surplus post of Secondary Grade Teacher taken by department to the petitioner School, as per G.O.Ms.No.231, School Education Department, dated 11.08.2010.

For Petitioner : Mr.C.Vediappan
for M/s.C.S.Associates

For Respondents 1&2 : Mr.K.Karthikeyan
Government Advocate

ORDER

The order passed by the Director of Elementary education proceedings dated 10.06.2013, holding that the writ petitioner was unable to be accommodate in the school is under challenge in this writ petition. Now it is submitted before this Court that during the relevant point of time, there was no adequate students strength for the purpose of accommodating the teacher. Thus, the teacher belongs to the writ petitioner school was unable to be accommodated.

2. However, it is made clear that the current academic year inspection report is to be taken into account for consideration and if the students strength is adequate for the purpose of accommodating any additional teacher then the request of the writ petitioner shall be considered by the competent authority. At the out set, as per the G.O.Ms.Nos.525 and 321, requisite number of teachers as per the ratio are to be appointed.

3.This being the factum, it is for the Competent authority to verify the current academic year reports and take appropriate action on merits in accordance with law.

4.With these observation, this writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.Director of Elementary Education,
Chennai-600 006.

2.District Elementary Educational Officer,
Nagapattinam, Nagapattinam District.

+1cc to Mr.C.S.Associates, Advocate, S.R.No.41601

+1cc to the Government Pleader, S.R.No.42328

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GSP(16/07/2018)

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