



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.03.2018
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

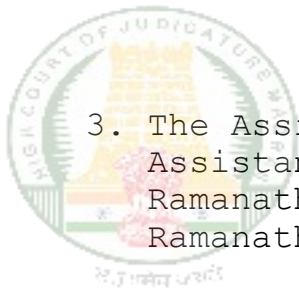
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W.P. (MD) Nos.4670 to 4674 of 2018

K.Sam Sathya Selvan ... Petitioner in W.P.(MD)No.4670 of 2018
D.Jenifa ... Petitioner in W.P.(MD)No.4671 of 2018
Anbarasi ... Petitioner in W.P.(MD)No.4672 of 2018
D.Nelson Robert Israel ... Petitioner in W.P.(MD)No.4673 of 2018
S.Jelina ... Petitioner in W.P.(MD)No.4674 of 2018

Vs.

1. The Director of School Education,
DPI Campus,
College Road,
Chennai - 600 006.
2. The District Elementary Educational Officer,
District Elementary Education Office,
Ramanathapuram District. ... Respondents 1 & 2 in all W.Ps.
3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Kadaladi,
Ramanathapuram District.
... Respondents 3 & 4 in W.P.(MD)No.4670 of 2018
3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
S.Mariyur,
Ramanathapuram District.
4. The Correspondent,
CSI Primary School,
Melakidaram,
Kadaladi Union,
Ramanathapuram District.
... Respondents 3 & 4 in W.P.(MD)No.4671 of 2018



3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Ramanathapuram,
Ramanathapuram District.

4. The Correspondent,
St.Andrews Primary School,
Ramanathapuram Union,
Ramanathapuram District.

...Respondents 3 & 4 in W.P.(MD)No.4672 of 2018

3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Thirupullani Union,
Ramanathapuram District.

4. The Correspondent,
CSI Primary School,
Chinna Mayakulam,
Ramanathapuram.

...Respondents 3 & 4 in W.P.(MD)No.4673 of 2018

3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Kadaladi Union,
Ramanathapuram District.

4. The Correspondent,
CSI Primary School,
Pulangulam,
Kadaladi Union,
Ramanathapuram District.

...Respondents 3 & 4 in W.P.(MD)No.4674 of 2018

Common Prayer: Writ Petitions - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to approve the appointment of the petitioners with effect from the date of appointment i.e., 23.07.2014, 23.07.2014, 02.02.2015, 11.01.2016, 23.07.2014 respectively and direct the second respondent to disburse the salary of the petitioners for the period from 23.07.2014 to 29.04.2016, 23.07.2014 to 24.09.2016, 02.02.2015 to 15.04.2016, 11.01.2016 to 28.04.2016 and 23.07.2014 to 29.04.2016 respectively.

For Petitioners	:	Mr.C.Fernadas Rathinaraja
For Respondents	1 to 3	Mr.J.Gunaseelan Muthiah
		Additional Government Pleader
		(in all W.P.s)

COMMON ORDER



2. By consent of both the parties, the main writ petitions themselves are taken up for final disposal.

3. The petitioners were appointed as Secondary Grade Teachers in the fourth respondent / schools. The petitioners were appointed only in sanctioned posts. The fourth respondent schools are minority aided institutions. But the third respondents in all the Writ Petitions have not passed any orders on the proposal made by the fourth respondents till date. When the third respondents in all the Writ Petitions were approached in person, it appears that the third respondents took a stand that approval will not be issued as the petitioners had not cleared Teacher Eligibility Test. As on date, the said issue is still pending adjudication. The third respondents in all the Writ Petitions can very well grant approval to the petitioners appointment subject to the outcome of the said proceedings.

4. The learned Additional Government Pleader appearing for the respondents submitted that the writ petitioners appointment is only in respect of sanctioned posts.

5. In these circumstances, this Court directs the third respondents in all the Writ Petitions to grant approval to the petitioners appointment as Secondary Grade Teachers in the fourth respondents / school with effect from 23.07.2014, 23.07.2014, 02.02.2015, 11.01.2016, and 23.07.2014 respectively and consequently grant all monetary benefits to the petitioners within a period of six weeks from the date of receipt of a copy of this order. The third respondents in all the Writ Petitions shall incorporate a condition that the order granting approval will be subject to the outcome of the litigation pertaining to the requirement to obtain TET by Teachers working in minority educational institutions.

6. The Writ Petitions stand allowed accordingly. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

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

2. The District Elementary Educational Officer,
District Elementary Education Office,
Ramanathapuram District.



3. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Kadaladi,
Ramanathapuram District.

4. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Ramanathapuram,
Ramanathapuram District.

5. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Thirupullani Union,
Ramanathapuram District.

+5 cc to Mr.C.Fernadaz Rathinaraja, Advocate SR.No.59162,59163,59164,
59165,59166

+1 cc to Spl.Government Pleader. SR.No.58939,58940,58941,59054,59055

W.P. (MD) Nos.4670 to 4674 of 2018
27.03.2018

TSG

VE/SV MMS/SAR 4/05.06.2018/4P/16C