

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.06.2018

CORAM:**THE HON'BLE MR. JUSTICE R. SURESH KUMAR****W.P. (MD) No. 12277 of 2018**

WEB COPY

M.M.Middle School,
Rep., by its Correspondent,
Seydunganallur,
Karungulam Union,
Thoothukudi

...Petitioner

Vs.

1) The District Elementary Educational Officer,
Thoothukudi District.

2) The Additional Assistant Elementary
Educational Officer,
Karungulam,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue re-fixation order for the Academic Year 2017 - 2018 to the petitioner School by considering the petitioner's representation dated 04.05.2018.

For Petitioner : Mr. V.Paneer Selvam

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents to issue re-fixation order for the Academic Year 2017 - 2018 to the petitioner School by considering the petitioner's representation dated 04.05.2018.

2. Heard Mr. V.Paneer Selvam, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the respondents, even though issued the staff fixation report for the Academic Year 2017 -18 for the petitioner School, the staff strength has not been fixed in commensurate with the student strength of the petitioner School. Therefore, in order to revise the same, the petitioner has given a representation to the first respondent on 04.05.2018 and if the said representation is



directed to be considered and an order is directed to be passed in that regard, the petitioner would be satisfied.

4. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, even though the staff fixation report was already made, the petitioner, now by way of his representation dated 04.05.2018 has made a request and the same would be considered on merits and in accordance with law and an order to that effect would be passed by the respondents.

5. Considering the limited scope of the prayer, this Court is inclined to pass the following order:-

"that the first respondent is directed to consider the representation of the petitioner dated 04.05.2018 with regard to the staff fixation for the Academic year 2017 - 18 for the petitioner School on merits and in accordance with law and pass orders thereon within a period of six weeks from the date of receipt of a copy of this order."

6. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

- 1) The District Elementary Educational Officer,
Thoothukudi District.
- 2) The Additional Assistant Elementary
Educational Officer,
Karungulam,
Thoothukudi District.

+1cc to Mr.V.Paneer Selvam, Advocate Sr.No.67590

+1cc to Spl.Government Pleader Sr.No.67609

STS

VB/RP/SAR2/11.10.2018/2P/5C

**Order made in
W.P. (MD) No.12277 of 2018
08.06.2018**