



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2018

CORAM

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos.20876 to 20878 of 2017
and
W.M.P. (MD) .Nos.17172 to 17174 of 2017

A.Holly Cross Braisy	... Petitioner in W.P.No.20876 of 2017
S.Bernathath Glynes	... Petitioner in W.P.No.20877 of 2017
J.Ancilda	... Petitioner in W.P.No.20878 of 2017

Vs.

- 1.The District Elementary Educational Officer,
Tirunelveli.
- 2.The Assistant Elementary Educational Officer,
Radhapuram, Tirunelveli District.
- 3.The Correspondent,
St.Therasa's Primary School,
Kuthenkuli,
Tirunelveli District. ...Respondents in all petitions

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the orders passed by the second respondent in his proceedings in Aathi.Mu.855/A2/2017, Aathi.Mu.853/A2/2017, Aathi.Mu.854/A2/2017, dated 19.10.2017 and quash the same and direct the respondents to approve the appointment of the petitioners from the date of appointment i.e., 24.07.2017 with all the consequential benefits.
In all Petitions

For Petitioners	: Mr.V.Panneer Selvam
For Respondents	: Mr.Gunaseelan Muthiah
	Additional Government Pleader

COMMON ORDER

Heard the learned counsel on either side.

2.By consent of both the parties, the Writ Petitions are taken up for disposal.

3.The petitioners were appointed as teachers in the third respondent school in the sanctioned vacancies. The proposals were



submitted for approval. The second respondent herein declined to grant approval. The reasons for rejection of the approval were two fold:-

(i). Firstly, the petitioners did not clear the Teacher Eligibility Test.

(ii). Secondly, the third respondent school is acting under corporate management. There were surplus teachers working in some other schools under the same management.

4. This Court has already held that on these two grounds, approval cannot be refused. Therefore, the orders impugned in these writ petitions stand quashed.

5. The first respondent is directed to approve the appointment of the petitioners forthwith with all consequential benefits.

6. The Writ Petitions stand allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSI)

/True Copy/

Sub-Assistant Registrar

To

1. The District Elementary Educational Officer,
Tirunelveli.

2. The Assistant Elementary Educational Officer,
Radhapuram, Tirunelveli District.

+3ccs to The Special Government Pleader , SR.Nos.44342, 44350 and
44349

+3ccs to M/s.V.Panneerselvam, Advocate, SR.Nos.44201 to 44203

tsg

RL/7C/2P/KK/SAR1/14/2/2018

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