



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 23.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD).No.22365 of 2017

and

W.M.P(MD)Nos.18670 & 18671 of 2017

Parent Teachers Association,
Rep. by its President,
U.H.Kamaludeen

... Petitioner

Vs.

1.The Director,
School Education Department,
DPI Complex, College Road, Chennai.

2.The Joint Director (Vocational),
School Education Department,
DPI Complex, College Road, Chennai.

3.The Chief Educational Officer,
Tirunelveli.

4.The Head Master,
Government Boys Higher Secondary School,
Kadayanallur, Tirunelveli District.

5.The Head Master,
Government Boys Higher Secondary School,
Tenkasi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pursuant to the impugned order of the third respondent in Na.Ka.No.4899/A5/2017, dated 03.11.2017 (received on 14.11.2017) and quash the same.

For Petitioner : Ms.Porkodi Karnan

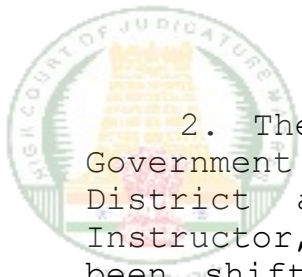
For Respondents : Mr.D.Muruganandham

Additional Government Pleader

O R D E R

[Order of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mrs.Porkodi Karnan, learned counsel for the petitioner
and Mr.D.Muruganandam, learned Additional Government Pleader
appearing for the respondents 1 to 3.



2. The petitioner is the Parent Teachers Association of the Government Boys Higher Secondary School, Kadayanallur, Tirunelveli District and their grievance is that one of the Vocational Instructor, who was functioning in the School by name Mr.Kannan has been shifted to the fifth respondent School at Tenkasi. Though initially the appointment was only for a limited period, subsequently, the third respondent has directed the Mr.Kannan to function as a Vocational Instructor in the fifth respondent School. The petitioner's grievance is that they have two Vocational Instructors in Kadayanallur Government Boys Higher Secondary School and on account of the transfer of the said Mr.Kannan, the children are affected as classes cannot be imparted by one teacher only.

3. The learned Additional Government Pleader appearing on behalf of the respondents 1 to 3 on the other hand would submit that the students strength in Kadayanallur Government Boys Higher Secondary School and Tenkasi Government School is approximately equal, but Tenkasi Government Boys Higher Secondary School does not have the Vocational Instructor and therefore, as an interim arrangement, Mr.Kannan has been directed to work in the Government Boys Higher Secondary School, Tenkasi.

4. We find that the interim arrangement would be beneficial to the children of the Government Boys Higher Secondary School, Tenkasi. But however, the interim arrangement should be only interim in nature and not a permanent appointment. This appears to be the apprehension of the petitioner and this is the reason, they have approached this Court by way of this writ petition.

5. Considering the factual position and also noting that both are Higher Secondary Schools, we direct that Mr.Kannan shall be permitted to continue as a Vocational Instructor till the end of the academic year 2017 - 2018 and then, a permanent teacher should be appointed to the 5th respondent School by the third respondent and on the commencement of the academic year 2018 - 2019, Mr.Kannan should be permitted to join duty in the Government Boys Higher Secondary School, Kadayanallur.

6. This writ petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

To

1.The Director,
School Education Department,
DPI Complex, College Road,
Chennai.



2.The Joint Director (Vocational),
School Education Department,
DPI Complex, College Road,
Chennai.

3.The Chief Educational Officer,
Tirunelveli.

+1CC TO M/S.POLAX LEGAL SOLUTIONS, ADVOCATE, SR NO.50857
+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.51294

W.P. (MD) .No.22365 of 2017
23.02.2018

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MS/KKR/SAR-1/12.04.2018/3P.6C