

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27432 of 2019

Thiruvalluvar Higher Secondary School,
Represented by its Secretary,
Mr.S.Ponmudi,
Orathur - 608 201,
Chidambaram Taluk. Petitioner

Vs.

- 1.The Director of School Education,
D.P.I. Buildings, College Road,
Chennai - 600 006.
- 2.The Chief Educational Officer,
Cuddalore District.
- 3.The District Educational Officer,
Cuddalore. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider and pass order on the representation of the petitioner dated 29.01.2019 and 13.08.2019, with regard to surrendering of post of Physical Education Director to the government.

For Petitioner :Mr.S.N.Ravichandran

For Respondents :Mr.C.Munusamy
Special Government Pleader

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O R D E R

The prayer sought for in the Writ Petition is to issue directions to the second respondent to consider and pass order on the representation of the petitioner dated 29.01.2019 and 13.08.2019, with regard to surrendering of post of Physical Education Director to the Government.

2.By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the petitioner School is an aided non-minority institution consists of 24 sanctioned post including one Headmaster and Physical Education Teacher. There was no sanction was accorded for the post of Physical Director to the School. However, the School was sanctioned Physical Education Director without sanction in the year 2015. Currently there was 445 students studying in the School with 23 teaching staffs and 3 non-teaching staffs. Due to shortfall in students strength, the School is not in need of Physical Education Director. Hence, the committee of the School resolved on 22.01.2019 to surrender the Physical Education Director post and the same was communicated to the department on 29.01.2019. However, there was no reply from the department. Therefore, on 13.08.2019 a remainder was submitted by the School to the department. But till date, the representation and the remainder was not considered properly and for which the petitioner has come out with the present Writ Petition.

4.The learned counsel for the petitioner would submit that it would be suffice to issue direction to the second respondent to consider the representation of the petitioner within the stipulated time.

5.The learned Special Government Pleader appearing for the respondents would concede the request made by the learned counsel for the petitioner.

6.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the second respondent to consider the representations of the petitioner dated 29.01.2019 and 13.08.2019 and pass orders on the same within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Education,
D.P.I. Buildings, College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Cuddalore District.

3.The District Educational Officer,
Cuddalore.

+1cc to the Government Pleader sr.79698

+1cc to Mr.S.N.Ravichandran, Advocate Sr.79167

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srg 23/10/2019



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