



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.6084 of 2019**

K.G.Kothainayagi

... Petitioner

vs.

1.The District Educational Officer,
Opp. To Rathna Theater,
Tirunelveli - 627 002.

2.The Assistant Elementary Educational Officer,
Office at Perumal Sannathi Street,
Palayamkottai, Tirunelveli District.

3.Ganeshamurthy,
Functioning as Secretary,
Ganesamoorthy Middle School,
Kurichi, Palayamkottai.

4.R.Samuthira Jothi,
Secondary Grade Teacher,
Ganesamoorthy Middle School,
Kurichi, Palayamkottai.
Tirunelveli

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the Petitioner's representation 20.01.2019 as per Rule 15(4) of Tamil Nadu Recognized Private Schools (Regulation) Act 1973 and pass appropriate orders to promote the Petitioner as Headmistress of Ganesamoorthy Middle School at Kurichi, Palayamkottai, Tirunelveli District and pass appropriate order.

For Petitioner : Mr.V.Meenakshisundaram

For Respondents : Mrs.S.Srimathy
Special Government Pleader
for R.1 and R.2

ORDER



representation dated 20.01.2019, as per Rule 15(4) of Tamil Nadu Recognized Private Schools (Regulation) Act 1973 and pass appropriate orders to promote the Petitioner as Headmistress of Ganesamoorthy Middle School at Kurichi, Palayamkottai, Tirunelveli District.

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2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents 1 and 2. In view of the limited order being passed hereunder, notice to the respondents 3 and 4 is dispensed with.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that she is working as a Secondary Grade Teacher in the third respondent School. Due to some civil dispute, the petitioner was not given promotion as Headmistress of the said school. Hence, she made representations to the respondents 1 to 3 on 20.01.2019, 13.02.2019 and 01.03.2019 to consider her claim. Since no action is forthcoming, the petitioner is before this Court by filing this writ petition.

5. The learned Counsel appearing for the petitioner submitted that as per Rule 15(4) of Tamil Nadu Recognized Private Schools (Regulation) Act, 1973, the petitioner is eligible to promote as Headmistress. Hence, he prays for appropriate orders.

6. The learned Special Government Pleader, taking notice for the respondents 1 and 2, submitted that the respondent authorities would consider the representation of the petitioner, on merits and as per law.

7. In view of the above, without going into the merits of the petitioner's case, the third respondent is directed to consider the representation of the petitioner dated 01.03.2019 and pass appropriate orders on merits and in accordance with law and also in line with Rule 15(4) of Tamil Nadu Recognized Private Schools (Regulation) Act, 1973, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

8. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

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To

1.The District Educational Officer,
Opp. To Rathna Threater,
Tirunelveli - 627 002.

2.The Assistant Elementary Educational Officer,
Office at Perumal Sannathi Street,
Palayamkottai, Tirunelveli District.

+1 CC to M/s.D.NALLATHAMBI, Advocate in SR-54209

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.54293

W.P (MD) No.6084 of 2019
14.03.2019

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PK/22.04.2019 : 3P/5C