



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2019

CORAM:

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)Nos. 14743 and 14744 of 2019

D.V.D Higher Secondary School and
Training School,
Rep. by its Secretary,
Kottar, Nagercoil,
Kanyakumari District.

... Petitioner in both
W.Ps.

Vs.

1. The Chief Educational Officer,
Kanyakumari District.

2.The State of Tamil Nadu,
rep. by its Secretary,
Department of School Education,
Fort. St. George,
Chennai - 600 009.

3.The Director of School Education,
College Road, Chennai - 600 006.

... Respondents
in both W.Ps.

(R2 and R3 are impleaded vide Court
order dated 17.07.2019
in WMP(MD).Nos.12194 and 12196 of 2019
in WP(MD).Nos.14743 and 14744 of 2019)

PRAYER in WP(MD).No. 14743 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein to grant permission forthwith to fill up the post of Post Graduate Assistant (History) by direct recruitment in terms of Post Graduate Assistant (History) by direct recruitment in terms of Rule 15(4) (1)(c) of the TN Recognised Private Schools (Regulations) Rules.

PRAYER in WP(MD).No. 14744 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein to grant permission forthwith to fill up the post of Post Graduate Assistant (Physics) by direct recruitment in terms of Rule 15(4) (1)(c) of the TN Recognised Private Schools (Regulations) Rules.



For Petitioner : Mr. E.V.N. Siva in both W.Ps.
For Respondents : Mrs. S. Srimathy in both W.Ps.
Special Government Pleader

COMMON ORDER

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The Writ Petition in WP(MD).No.14743 of 2019 has been filed for issuing a direction to the respondents herein to grant permission forthwith to fill up the post of Post Graduate Assistant (History) by direct recruitment in terms of Post Graduate Assistant (History) by direct recruitment in terms of Rule 15(4) (1)(c) of the TN Recognised Private Schools (Regulations) Rules.

The Writ Petition in WP(MD).No.14744 of 2019 has been filed for issuing a direction to the respondents herein to fill up the post of Post Graduate Assistant (Physics) by direct recruitment in terms of Rule 15(4) (1)(c) of the TN Recognized Private Schools (Regulations) Rules.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner would submit that in view of the order passed by the respondent, the prayer sought for by the petitioner in WP(MD).No. 14744 of 2019, has become infructuous.

3. Recording the aforesaid submission, the Writ Petition in WP(MD).No. 14744 of 2019, is dismissed as infructuous.

4. According to the petitioner in WP(MD).No.14743 of 2019, they have submitted a proposal dated 19.07.2018 to the first respondent seeking prior permission to fill up the post of Post Graduate Assistant (History) by direct recruitment in terms of Rule 15 (4)(1)9(c) of the T.N. Recognized Private Schools (Regulation) Rules. However, the aforesaid proposal has not been considered by the respondents so far. In such circumstances, the petitioner has filed the present Writ Petition before this Court.

5. The learned Special Government Pleader appearing for the respondents submitted that the aforesaid proposal of the petitioner will be considered by the first respondent on merits within a specified time that may be fixed by this Court.

6. Considering the submissions made by the learned counsel appearing on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the first respondent to consider the proposal submitted by the petitioner's school dated 19.07.2018 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.



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W.P(MD)No.14743 of 2019

7. With the above direction, the writ petition WP(MD). No.14743 of 2019, is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Kanyakumari District.

2.The State of Tamil Nadu,
rep. by its Secretary,
Department of School Education,
Fort. St. George,
Chennai - 600 009.

3.The Director of School Education,
College Road, Chennai - 600 006.

4.The Block Educational Officer,
Virudhunagar, Virudhunagar District.

+1 CC to M/s.E.V.N SIVA, Advocate (SR-81643[F] dated 14/08/2019)

W.P(MD)Nos. 14743 and 14744 of 2019
13.08.2019

trp
MS/09.09.2019/3P.6C