



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P.(MD).No.7698 of 2014
and
MP(MD).Nos.1,2 and 3 of 2014

The Correspondent,
TELC Middle School,
Peraiyur Road, Usilampatti,
Madurai District 625 532.

... Petitioner

-Vs-

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

2.The Director of Elementary Education,
College Road, Chennai-600 006.

3.The District Elementary Educational Officer,
R.M.S. Road, Madurai.

4.The Assistant Elementary Educational Officer,
Usilampatti Region, Usilampatti,
Madurai District-625 532.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 3rd respondent District Elementary Educational Officer dated 13.12.2010 (settling the Staff Fixation for the petitioner school for the year 2010-2011) quash the same insofar as it renders two posts of Secondary Grade Teachers as surplus, and further direct the 3rd respondent District Elementary Educational Officer to approve the appointments of B. Siva Sankari as Secondary Grade Teacher w.e.f.01.07.2010 and R.Tamilselvi as Secondary Grade Teacher W.e.f.02.07.2010 in the petitioner School and disburse their grant-in-aid towards their salary including all the attendant benefits.

For Petitioner
For Respondents

: Mr.S.Xavier Rajini
: Mrs.S.Srimathy
Special Government Pleader



ORDER

The inspection report of the District Elementary Educational Officer regarding the Fixation of Staff strength is sought to be quashed in the present writ petition. Further, a direction is sought for to direct the third respondent to approve the appointments of B. Siva Sankari as Secondary Grade Teacher with effect from 01.07.2010 and R.Tamilselvi as Secondary Grade Teacher with effect from 02.07.2010.

2.The teachers, who were appointed by the writ petitioner management, were not considered for grant of approval on account of the fact that there was no adequate student strength for the purpose of sanctioning the staff. The student strength as well as the required number of staffs were ascertained by the competent authorities in the inspection report and the said inspection report of the academic year 2010-11, is under challenge in the present writ petition.

3.Even at that point of time, two surplus teachers were identified. However already eight years lapsed and the current student strength is to be assessed with reference to the current academic year inspection report and accordingly, the writ petitioner / management can claim staff strength as per the Government orders in the matter of students-teachers ratio. Accordingly, the respondents shall verify the current academic year inspection report of the petitioner's school and fix the staff strength based on the Government orders and accordingly, take all necessary actions to implement the policy of the Government, in the matter of students-teachers ratio.

4.In this view of the matter, the impugned inspection report of the year 2010-11, which is relevant on significance, on account of the efflux of time and the staff strength is to be fixed based on the current inspection report and all necessary actions shall be taken by the respondents to fix the staff strength based on the student strength as per the Government orders.

5.With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.
- 2.The Director of Elementary Education,
College Road, Chennai-600 006.
- 3.The District Elementary Educational Officer,
R.M.S. Road, Madurai.
- 4.The Assistant Elementary Educational Officer,
Usilampatti Region, Usilampatti,
Madurai District-625 532.

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