



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD)No.16010 of 2020

The Secretary
Nadar Hindu High School
Keelapavoor - 627 806
Tenkasi District.

... Petitioner

Vs.

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

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

3.The Chief Educational Officer
Tenkasi, Tenkasi District.

4.The District Educational Officer
Tenkasi, Tenkasi District.

5.S.Gopalakrishnan

... Respondents

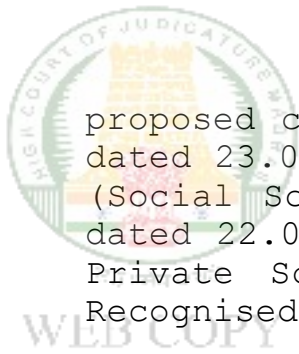
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent Chief Educational Officer to give approval for the proposed cancellation of the promotion given to the 5th respondent dated 23.07.2018 from the post of Junior Assistant to BT Assistant (Social Science) by considering the petitioner's proposal to him dated 22.06.2020 made in terms of Section 22 of the TN Recognised Private Schools (Regulation) Act, 1973 and Rule 17 of the TN Recognised Private Schools (Regulation) Rules, 1974.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For R1 to R4 : Mr.A.Thiyagarajan,
Government Advocate.

ORDER

This writ petition is filed, seeking to direct the third respondent Chief Educational Officer to give approval for the



proposed cancellation of the promotion given to the 5th respondent dated 23.07.2018 from the post of Junior Assistant to BT Assistant (Social Science) by considering the petitioner's proposal to him dated 22.06.2020 made in terms of Section 22 of the TN Recognised Private Schools (Regulation) Act, 1973 and Rule 17 of the TN Recognised Private Schools (Regulation) Rules, 1974.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents 1 to 4. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the respondents, to consider the representation of the petitioner, dated 16.09.2020.

4. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the third respondent to consider the representation of the petitioner, dated 16.09.2020 on merits and in accordance with law, and pass necessary orders, 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.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be responsibility of the advocate/litigant concerned.



To

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

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

3.The Chief Educational Officer
Tenkasi, Tenkasi District.

4.The District Educational Officer
Tenkasi, Tenkasi District.

+1 CC to Mr.K.Ragatheesh Kumar, Advocate (SR-21874[F] dated
11/11/2020)

+1 CC to SGP (SR-22075[F] dated 18/11/2020)

W.P (MD) No.16010 of 2020
11.11.2020

KMV (CO)
KM (24.11.2020) 3P 7C