



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM

THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.10517 of 2009
and
MP.Nos.1 & 2 of 2009

A.Dhakshinamoorthy

... Petitioner

-Vs.-

- 1.The Director of Elementary Education,
College Road,
Chennai-6.
- 2.The District Elementary Education Officer,
Vellore-4.
- 3.The Assistant Elementary Education Officer,
Gudiyatham, Vellore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records connected with the impugned order in Na.Ka.No.4398/A4/2008 dated 30.05.2009 passed by the 2nd respondent and quash the same.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.C.Selvaraj
Government Advocate for R1 to R3

O R D E R

Mr.S.N.Ravichandran, learned counsel on record for sole writ petitioner and Mr.C.Selvaraj, learned State counsel for all the three respondents are before this virtual Court.

2. A deployment order qua a school, which receives grant/aid from the Government and governed by Tamil Nadu Private Schools Regulation Act, 1973 is under challenge in the main writ petition. To be noted, this deployment order is dated 30.05.2009 and the same shall hereinafter be referred to as 'impugned order' for the sake of convenience].

3. Originally staff strength qua six schools for 2008-2009 was 1+3 i.e., four in all and that was reduced to 1+2 i.e., three in all. Deployment of one V.Kaliappan was assailed, interim order was granted and he continued in



service in the said school. Thereafter, one other Teacher died on 17.02.2017. This means that the present strength is one Headmaster and two secondary Grade Teachers in the said school is learned petitioner counsel's say. There is no disputation or disagreement about this obtaining position qua State counsel. Therefore, it follows as a sequitur that the prayer in the writ petition has been answered in the affirmative.

4. Recording this stated position of the counsel for writ petitioner and State Counsel, captioned writ petition is disposed of as closed making it clear that no view or opinion has been expressed on the merits of the matter in this order. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions being MP.Nos.1 & 2 of 2009 are also closed.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

kmi

To

1. The Director of Elementary Education,
College Road, Chennai-6.
2. The District Elementary Education Officer,
Vellore-4.
3. The Assistant Elementary Education Officer,
Gudiyatham, Vellore.

+1cc to M/S.S.N.Ravichandran, Advocate, SR.No.40867
+1cc to Government Pleader, SR.No.41081

W.P.No.10517 of 2009
and MP.Nos.1 & 2 of 2009

GPL (CO)
CT (07/09/2021)