



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29457 of 2011

and

M.P.No. 2 of 2011

Tamilnadu Self Finance Teachers Welfare Association

8/95 South Street

Kulaiyankaraisal 628 103

Tuticorin Dist

Rep by Its Secretary

Antony Dhasan Prabhu

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep by the Secretary to the Government

School Education Department

Fort St.George

Chennai 600 009.

2.The Director of School Education

College Road

Chennai 600 006.

3.The Secretary to the Government

Government of Tamil Nadu

Finance Department

Fort St. George

Chennai 600 009.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records from the 1st respondent relating to the impugned order passed by the 1st respondent in G.O.(4D) No. 18 School education (D1) Dept., dt 27.10.2011, quash the same and further direct the respondents to appoint teachers all over Tamil Nadu in Schools which are approved by the respondents 1 and 2 on par with the Government Schools and Government Aided Schools.

For Petitioner : M/s.Prabhu Mukunth Arunkumar
for Mr.B.Rabu Manohar

For Respondents : Mr.C.Jayaprakash
Government Advocate



O R D E R

The Writ Petition is filed by the Tamil Nadu Self Finance Teachers Welfare Association questioning the validity of the order passed by the Government in G.O.(4D) No.18, School Education (D1) Department dated 27.10.2011.

2. The Government Order states that the surplus teachers working in various Government Schools and Government Aided Schools to be posted in the available vacancies in the other Schools. The very purpose and object of the Government Order is to ensure that the every school gets teacher as per the sanctioned strength.

3. In view of the fact that the salary is being paid by the State, it is needless to state that the service of the surplus teachers are to be utilised against the sanctioned post, which all are vacant in the other Schools. This being the policy implemented through the order impugned, there is no reason to interfere with the decision taken by the Government.

4. This apart, the Teacher's Welfare Association cannot maintain the Writ Petition as they cannot be considered as aggrieved person, in respect of posting of the surplus teacher from one school to another school. If at all any teacher is aggrieved from and out of the actions, the individuals are at liberty to approach the competent authority for redressal of their grievances.

5. With these observations, the Writ Petition stands dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

shr/Kan

To

1.The State of Tamil Nadu

Rep by the Secretary to the Government

School Education Department

Fort St.George, Chennai 600009.

2.The Director of School Education

College Road, Chennai 600006.

3.The Secretary to the Government

Government of Tamil Nadu

Finance Department, Fort St.George

Chennai 600009.

+1 cc to Government Pleader Sr.NO. 60053

W.P.No.29457 of 2011
and M.P.No. 2 of 2011

KSM (CO)

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A.SK(09.12.2021)