



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.7248 of 2021

The Hindu Union Committee Higher Secondary School,
No.47/23, T.K. Street,
Choolai, Chennai 600 112,
rep. by its Secretary,
D.Chandrasekaran,
S/o. R.Dhakshinamoorthy

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
2. The Chief Educational Officer,
Chennai District,
Presidency Girls Higher Secondary School Campus,
Egmore, Chennai 600 008.
3. The District Educational Officer,
Chennai North Education District,
SIDCO Nagar, Villivakkam,
Chennai 600 049.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to pass orders for granting permission to fill up the sanctioned post of Physical Education Teacher in the Petitioner School, a single Post for all the students forthwith, based on the Application submitted by the Petitioner School dated 06.09.2019 and the subsequent proposal forwarded by the 3rd Respondent in Na.Ka.No.3784/A1/2019, dated 17.06.2020, within a time frame.

For Petitioner	:	Mr.G.Sankaran
For Respondents	:	Mr.P.Raja, Government Advocate



O R D E R

Petitioner-School has come up with this Writ Petition seeking a direction to the Respondents to pass orders for granting permission to fill up the sanctioned post of Physical Education Teacher in their School, based on their Application dated 06.09.2019 and the subsequent proposal forwarded by the 3rd Respondent vide Na.Ka.No.3784/A1/2019, dated 17.06.2020.

2. According to the Petitioner-School, the post of Physical Education Teacher became vacant on 31.07.2019 due to the promotion of incumbent viz. D.Narendran as B.T. Assistant (Science). Since the post of Physical Education Teacher remains to be a single post, there is no Teacher for taking Physical Education classes for all students studying in their School. It is the contention of the Petitioner that, there is no impediment for the Respondents to grant permission to fill up the post of Physical Education Teacher, which is lying vacant from 01.08.2019 onwards.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, this Court directs the Respondents herein to consider the Petitioner's Application dated 06.09.2019 based on the subsequent proposal dated 17.06.2020 forwarded by the 3rd Respondent, and pass appropriate orders in accordance with law within a period of four months from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

(aeb)

To:

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



2. The Chief Educational Officer, Chennai District,
Presidency Girls Higher Secondary School Campus,
Egmore, Chennai 600 008.

WEB COPY

3. The District Educational Officer,
Chennai North Education District,
SIDCO Nagar, Villivakkam, Chennai 600 049.

+1cc to Mr.G. Sankaran, Advocate Sr.No.18169

+1cc to Government Pleader Sr.No.18449

W.P.No.7248 of 2021

UM[co]
NSK 14/07/2021

19.03.2021