

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.NO.9404 OF 2021

&

W.M.P.NO.9995 OF 2021

R.C.Sacred Heart Higher Secondary School
Rasipuram 637 408, Namakkal District
Rep by its Correspondent
Sr.Sowmya

.. Petitioner

Versus

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

2. The Chief Educational Officer
Namakkal District, Namakkal

3. The District Educational Officer
Namakkal Education District, Namakkal

.. Respondents

PRAYER: 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 approval of appointment of Sr.L.Kulandaimary in the sanctioned post of B.T.Assistant (Science) in the petitioner school from the date of appointment on 07.06.2018 with all consequential and other attendant benefits, including the arrears of salary from the date of appointment, based on the proposal submitted by the petitioner School in Na.Ka.No.379/2019-2020 dated 13.09.2019.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.P.Raja, Govt.Advocate

O R D E R

The petitioner is the school. They applied for approval of B.T.Assistant (Maths) post in their school. It is seen that the respondents have returned the same on the ground that the teacher has not qualified herself in Teachers Education Test. Aggrieved over the same, the petitioner is before this Court.

2. Mr.P.Raja, learned Government Advocate takes notice for the respondents.

3. The learned counsel for the petitioner would submit that the issue is already covered by the judgment of Hon'ble Supreme Court in Pramati Educational and Cultural Trust Case ,reported in 2014 (8) SCC 1.

4. From the perusal of the proceedings, it is seen that the papers have been returned by the authorities. Therefore, it is always open to the petitioner to resubmit it after rectifying the defects or queries sought for by the authorities. On such submission, the respondents are directed to consider the request in the light of the Hon'ble Supreme Court judgment and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of with the above observation and direction. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

KPR

To

1. The Director of School Education
DPI Campus, College Road
Chennai-600 006
2. The Chief Educational Officer
Namakkal District, Namakkal
3. The District Educational Officer
Namakkal Education District, Namakkal

+1cc to Mr.G.Sankaran , Advocate, S.R.No.23877
+1cc to the Government Pleader, S.R.No.23643

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AJB(CO)
CS/23/06/2021