



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.10468 of 2019

Velavan Vidhyalaya Aided Elementary
School, represented by its Correspondent/
Secretary, G.Kalavathy,
Mettur Main Road,
Ammamet 638 311,
Anthiyur Taluk,
Erode District.

... Petitioner

Vs.

- 1.The Director of Elementary Education,
DPI Complex,
College Road,
Chennai 600 006.
2. The Chief Educational Officer,
Old Railway Station Road,
Erode-1.
3. The District Educational Officer,
Bhavani,
Erode District.
4. The Block Educational Officer,
Ammamet Union,
Anthiyur Taluk,
Erode District.

.. Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to grant permission to the petitioner aided school to fill up the existing vacancy in the sanctioned post of Secondary Grade Teacher, after receipt of the file from the 4th respondent by considering the petitioner's representation dated 13.03.2019.

For Petitioner : Mr.N. Manokaran

For Respondents: Mrs.P.Kavitha, Govt. Advocate (Edn)



O R D E R

This Writ Petition has been filed to issue a mandamus directing the respondents 1 to 3 to grant permission to the petitioner aided school to fill up the Post of Secondary Grade Teacher in the existing vacancy against the sanctioned post, by considering the petitioner's representation dated 13.03.2019.

2. According to the petitioner, it was established on 31.05.1936 for the purpose of imparting education to rural children. The name of the school was changed from Periyasamy Aided Elementary School to Velavan Vidhyalaya Aided Elementary School, pursuant to the order of the first respondent dated 07.05.2018. Consequently, the Trust Deed was registered on 16.07.2018 in the name and style of Velavan Vidhyalaya Educational Agency, which was also approved on 22.02.2019. Thereafter, the petitioner submitted an application dated 13.03.2019 to the respondents 1 to 3, seeking permission to fill up the sanctioned post of Secondary Grade Teacher in the vacancy arisen due to the dismissal of one S. Elanthendral on 30.07.2018, which application was pending, without any action. Hence, this writ petition.

3. The learned counsel for the petitioner submitted that the petitioner school is an Aided Institution and there are about 185 students studying between I and V standards; though it needs 5 teachers against pupil-teacher ratio and only 3 teachers are working at present. The learned counsel further submitted that the School Committee has temporarily appointed a teacher in the vacant post and has been paying salary to him, till date. Hence, the learned counsel prayed that the respondent authorities may be directed to take swift action to grant permission to the petitioner school to fill up the sanctioned vacancy.

4. On the other hand, the learned Government Advocate appearing for the respondents submitted that the respondent authorities would consider the representation of the petitioner and pass orders, on merits, within a time frame to be stipulated by this Court.

5. Considering the facts and circumstances of the case, more particularly, that the petitioner sought permission to fill up the vacancy of the sanctioned post, and having regard to the submissions made by the learned counsel on either side, the respondents 1 to 3 are directed to consider the representation of the petitioner dated 13.03.2019 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

msr

To

2.The Director of Elementary Education,
DPI Complex,
College Road,
Chennai 600 006.

2. The Chief Educational Officer,
Old Railway Station Road,
Erode-1.

3. The District Educational Officer,
Bhavani,
Erode District.

4. The Block Educational Officer,
Ammamet Union,
Anthiyur Taluk,
Erode District.

+1cc to Mr.N.Manokaran , Advocate SR.No. 23894
+1 cc to Government Pleader Sr.No. 24026

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GPL(CO)

A.SK(14.07.2021)