



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.[MD].No.5625 of 2020

and

W.M.P (MD) .No.4920 of 2020

WEB COPY

Pasupathi Aided Middle School,
Pandanallur-609 907, Thanjavur District.
Rep. by its Secretary,
V.Javaveera Pandian,
S/o.Vaidyanathaswamy

: Petitioner

Vs.

1. Principal Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Thanjavur District, Thanjavur.
4. The District Educational Officer,
Kumbakonam Education District,
Kumbakonam, Thanjavur District.
5. The Block Educational Officer,
Thirupananthal Range,
Thiruvadaimaruthur Taluk,
Thanjavur District.

: Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the fourth respondent in O.Mu.No.5745/A6/2019 dated 15.02.2020 and to quash the same and consequently directing the respondent to grant permission to the petitioner's school to fill up post of Tamil Pandit in the vacancy arising from 01.07.2019 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.V.Nirmal Kumar

Additional Government Pleader



ORDER

This Writ Petition is filed as against the order dated 15.02.2020 passed by the District Educational Officer in O.Mu.No.5745/A6/2019, in and by which, the request for prior approval for appointment of Tamil Pandit has been rejected.

2. Mr.G.Sankaran, learned counsel for the petitioner submitted that Tamil Pandit post is a sanctioned post and the post was vacant due to the retirement of one Arivalagan. Since it is a sanctioned post, they sought prior approval of the respondents for appointing a Tamil Pandit in the existing vacancy, but, the same was rejected by the impugned order, on the ground that there are surplus teachers. The post of Arivalagan is now declared as surplus and therefore, the request made by the petitioner School was rejected. Aggrieved by the same, the present writ petition is filed.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submits that now the students strength has been increased and therefore, as per the students and teachers ratio, the petitioner School is entitled for two more teachers and that can be considered by deployment of any other surplus teachers from any other school, depending upon the present students ratio.

4. Considering the fair submission made on behalf of the petitioner, the Writ Petition is disposed of, with a direction to the fourth respondent to verify the students ratio in the petitioner school and deploy necessary staff from the available surplus teachers and to ensure that the school is provided with necessary teachers for the students, within a period of two weeks from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

5. This Court places its appreciation to the learned counsel for the petitioner that though this writ petition is filed challenging the order of rejection of prior approval of appointment, considering the present situation that several surplus teachers are available in the Department, the petitioner has confined his relief for accommodating some other teachers, instead of insisting for prior approval as claimed by them earlier. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1. Principal Secretary to Government,
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+1 CC to M/s.SPL GP (SR-37204[F] dated 03/12/2021)

W.P. [MD] .No.5625 of 2020

02.12.2021

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