



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P.(MD)No.7546 of 2021

WEB COPY

S.M.A.Pongandhimathi Nathan

: Petitioner

Vs

- 1.The Secretary,
Department of School Education,
Secretariat,
St. George Fort,
Chennai - 09.
- 2.The Director of Elementary Education,
O/o. Director of Elementary Education,
College Road, DPI Compound,
Nungampakkam Road,
Chennai - 6.
- 3.The District Collector,
Collectorate,
Thoothukudi District.
- 4.The District Education Officer,
O/o. District Education Officer,
Thoothukudi District.
- 5.The Chief Educational Officer,
O/o.Chief Education Officer,
Thoothukudi District.
- 6.The Headmaster,
Hindu Adi Dravidar Middle School,
Sivakalai,
Srivaikundam Taluk,
Thoothukudi District - 628 753.
- 7.The Headmaster,
Hindu Elementary School,
Peyanvilai,
Thiruchendur Taluk,
Thoothukudi District - 628 202.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 5 to take appropriate steps for filling up the reserve 18% of the vacancies in teaching as well as non teaching staff candidates belonging to scheduled castes and scheduled tribes for the respondents 6 & 7 schools in the light of the judgment passed by the Hon'ble Apex Court in Bharath Sevasharam Sangh v.



State of Gujarat [1986 (4) SCC 51] and the Rules 15(7) & 15(9) (ii) of Tamil Nadu Recognized Private Schools Regulation (Rules) 1974 and in G.O.Ms.No.241, dated 29.10.2007 (Personnel & Administrative Reforms) by considering the petitioner's representation dated 25.03.2021.

For Petitioner : Mr.I.Pinaygash
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioner has come forward to file this writ petition seeking a writ of mandamus directing the respondents to fill up the reserve 18% of the vacancies in Teaching as well as Non Teaching Staff, from the candidates belonging to Scheduled Caste and Scheduled Tribe for the respondents 6 & 7 schools, in the light of the judgment passed by the Hon'ble Apex Court in **Bharath Sevasharam Sangh v. State of Gujarat [1986 (4) SCC 51]** and the Rules 15(7) & 15 (9)(ii) of Tamil Nadu Recognized Private Schools Regulation (Rules) 1974 and the order passed in G.O.Ms.No.241, Personnel & Administrative Reforms Department, dated 29.10.2007, by considering the petitioner's representation dated 25.03.2021.

2. Learned Counsel appearing for the petitioner submitted that though a larger prayer has been sought for, it would suffice if the pending representation made on 25.03.2021 is directed to be considered.

3. Taking into consideration of the above, without expressing anything on the merits of the petitioner's claim, we direct the respondents, particularly, the second respondent, to consider the aforesaid representation dated 25.03.2021 and pass appropriate orders, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. In fine, this writ petition stands disposed of. No costs.

Sd/-

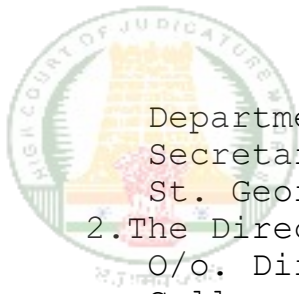
Assistant Registrar (AS)

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/ /2021

Sub Assistant Registrar(CS)

gk
To



Department of School Education,
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St. George Fort, Chennai - 09.

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O/o. Director of Elementary Education,
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+1 CC to M/s.I.PINAYGASH, Advocate (SR-15157[F] dated 01/04/2021)

+1 CC to M/s.SPL GP (SR-15493[F] dated 08/04/2021)

W.P. (MD)No.7546 of 2021
01.04.2021

GS (24.04.2021) 3P 10C