



WEB COPY



W.P.No.18280 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.18280 of 2022
and
W.M.P.No.17630 of 2022

1.K.Natarajan
2.G.Kumaravadivel

...Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner of School Education,
DPI Campus, College Road,
Chennai - 600 006.

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

4.The District Educational Officer,
Erode Educational District,
Erode.

5.The Secretary,
A.T.M. Higher Secondary School,
Erode - 638 003.



6.M.Kavitha

...Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to pass orders on the representation submitted by the petitioner dated 04.06.2022 respectively and to forbear the respondents 1 to 4 from approving the promotion of 6th respondent to the post of Headmaster of 5th Respondent School and consequently directing the 5th respondent to fill up to post of Headmaster in accordance with Rule 15(4) of Tamil Nadu Recognized Private Schools (Regulation) Rules, with eligible persons, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.P.Kumaresan
Additional Advocate General
Assisted by
Mr.C.Satish
Government Advocate for R1 to R4
Mr.S.N.Ravichandran for R5
Mr.P.Ganesan for R6

ORDER

The grievance of the petitioners, in this Writ Petition, is that they have been overlooked for promotion by the fifth respondent. According to them, by overlooking them, the fifth respondent has appointed the sixth respondent to the post of Headmaster. Thereafter, the fifth respondent has



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sent a proposal to the third respondent for approval of the appointment of the sixth respondent as Headmaster. Pending approval, the petitioners have filed this Writ Petition, claiming that they ought to have been promoted in place of the sixth respondent.

2. No prejudice would be caused to any of the parties, if a direction is issued to the third respondent to pass final orders on the fifth respondent's proposal dated 30.05.2022, seeking approval for appointment of the sixth respondent as Headmaster, after considering the respective petitioner's objections and after affording a fair hearing to the petitioners as well as the fifth and sixth respondents, within a time frame to be fixed by this Court.

3. For the foregoing reasons, this Court directs the third respondent to pass final orders on the fifth respondent's proposal dated 30.05.2022, seeking for approval to appoint the sixth respondent as Headmaster, after giving due consideration to the objections raised by the petitioners to the sixth respondent's appointment and after affording a fair hearing to the petitioners as well as the fifth and sixth respondents, including granting them one personal hearing, within a period of six weeks from the date of



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receipt of a copy of this order.

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4. With the aforementioned directions, this Writ Petition is disposed of. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

01.11.2022

Index : Yes/No
Speaking Order : Yes / No
ab



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To

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ABDUL QUDDHOSE. J.,

ab

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**01.11.2022
(1/2)**