



W.P.No.29762 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.11.2022

CORAM

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

W.P.No.29762 of 2022

Shree G.K. Jain Higher Secondary School,  
Rep. by its Correspondent,  
180, MS Koil Street,  
Pudumanaikuppam,  
Royapuram, Chennai,  
Tamil Nadu – 600 013.

.. Petitioner

***Vs.***

- 1.The Director,  
Directorate of School Education,  
DPI Campus,  
College Road,  
Chennai – 600 006.
- 2.The Chief Educational Officer,  
Chennai – 600 008.
- 3.The District Educational Officer,  
Office of the District Education Office,  
Chennai (East),  
Chennai – 600 005.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to permit the petitioner to fill up the post of BT Assistant (Science), BT Assistant



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(English) and BT Assistant (Social Science) from the open market with qualified teachers.

For Petitioner : M/s.Dakshayani Reddy

For Respondents : Mr.C. Sathish,  
Government Advocate

### **ORDER**

This Writ petition has been filed for a mandamus seeking for a direction to the respondents to permit the petitioner to fill up the posts of BT Assistant (Science), BT Assistant (English) and BT Assistant (Social Science) from the open market with qualified teachers.

2. Heard the learned counsel for the petitioner. Mr.C. Sathish, learned Government Advocate, accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The positive direction sought for by the petitioner, cannot be granted at this stage. The only limited relief that can be granted by this Court is to



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direct the respondents to consider the petitioner's representation on merits and in accordance with law and to pass final orders within a time frame to be fixed by this Court.

4. The petitioner is the Aided School and its grievance is that despite several representations, the respondents have not filled up the posts of BT Assistant (Science), BT Assistant (English) and BT Assistant (Social Science) in their School. According to the petitioner, earlier some teachers were deputed by the respondents but after serving in the School for few months, they left the Institution without giving any notice. According to the petitioner, due to shortage of teachers for the aforementioned subjects, the students are suffering. The petitioner seeks for early appointment of teachers for the aforementioned subjects. They have given a representation on 02.08.2022, permitting them to fill up the posts of BT Assistant (Science), BT Assistant (English) and BT Assistant (Social Science) from the open market as the respondents have not taken any steps to fill up the said posts. Since the representation of the petitioner has not been considered till date, the petitioner has filed this writ petition.



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5. No prejudice will be caused to the respondents if the petitioner's representation, as referred to supra, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 02.08.2022, seeking to fill up the posts of BT Assistant (Science), BT Assistant (English) and BT Assistant (Social Science), within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

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Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

***Sni***



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To

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**ABDUL QUDDHOSE,J.**

***Sni***

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