



W.P.(MD).No.5936 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.07.2022**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.5936 of 2013
and
M.P(MD)Nos.1 and 2 of 2013

TELC Higher Secondary School,
Represented by its Correspondent,
North Main street,
Pudukottai,
Pudukottai District.

... Petitioner

Vs.

1.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Nijam Colony,
Pudukottai,
Pudukottai District.

2.The District Educational Officer,
O/o. The District Educational Officer,
Pudukottai,
Pudukottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the first respondent in his proceedings Na.Ka.No.6017/A5/2012 dated 08.03.2013 and quash the same as illegal in so far as it fixing secondary



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grade teachers strength as 1 in respect of 6th, 7th & 8th standards are concerned and consequentially to direct the first respondent to sanction 3 Secondary Grade Teachers in respect of 6th, 7th & 8th standards in conformity with Section 25 read with it's annexure of Right of Children to Free and Compulsory Education Act, 2009.

For Petitioner : Mr.H.Mohammad Imran
for M/s.Ajmal Associates

For Respondents : Mr.V.Nirmal Kumar
Government advocate

ORDER

The present writ petition has been filed challenging the staff fixation order by an aided minority Higher Secondary School. In the said staff fixation order, the Secondary Grade Teacher posts were reduced from 4 to 1, thereby three teachers were rendered surplus. This order is under challenge in the present writ petition.

2. The learned Government Pleader appearing for the respondents has produced the staff fixation order for the academic year 2019-2020, in which the Secondary Grade Teacher posts have been fixed at three and the number of teachers working there are also three. As per the said staff fixation order, there is no surplus. The said order, dated 13.03.2020 for



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the academic year 2019-2020 has not been challenged. It is seen from the new staff fixation order, the Secondary Grade Teacher posts have been increased from one to three and there is no surplus as on today in the petitioner school. The said fact is recorded. In case, if the students strength gets increased, the petitioner school is at liberty to approach the appropriate authority for increasing the staff fixation.

3. With the above said observations, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

15.07.2022

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Index : Yes / No
Internet : Yes / No

To

- 1.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Nijam Colony,
Pudukottai,
Pudukottai District.
- 2.The District Educational Officer,
O/o. The District Educational Officer,
Pudukottai,

3/4



Pudukottai District.

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R.VIJAYAKUMAR ,J.

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Order made in
W.P.(MD).No.5936 of 2013

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