



W.P.(MD).No.4439 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4439 of 2020

and

W.M.P.(MD).Nos.3725 and 3727 of 2020

The Correspondent,
St. Antony's Primary School,
Iruthayapuram,
Palakarai,
Trichy District 620 001.

... Petitioner

vs.

1.The Director of Elementary Education,
College Road,
Chennai 600 006.

2.The District Educational Officer,
Trichy,
Trichy District.

3.The Block Educational Officer,
Trichy West,
Trichy District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned staff fixations settled by the 2nd respondent District Educational Officer for the academic years 2018-2019 vide impugned proceedings in Na.Ka.No.0779/A3/2019, dated 25/10/2019 and to quash the same insofar as it fixes the eligibility of teachers as 9 in stead of 10 including Headmaster and further direct the 2nd respondent to fix the eligibility of teachers in the petitioner school as 10 including Headmaster and approve the appointment of K.Arockia Johny as Secondary Grade Teacher w.e.f. the date of his appointment viz., 03/10/2018 with salary and all other attendant benefits.

For Petitioner : Mr.T.Cibi Chakraborty

For Respondents : Mr.S.Saji Bino

Special Government Pleader

ORDER

This writ petition has been filed challenging the staff fixations settled by the 2nd respondent District Educational Officer for the academic years 2018 - 2019 vide impugned proceedings in Na.Ka.No. 0779/A3/2019, dated 25.10.2019 and to quash the same insofar as it fixes the eligibility of teachers as 9 instead of 10 including Headmaster and



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further direct the 2nd respondent to fix the eligibility of teachers in the petitioner school as 10 including Headmaster and approve the appointment of K.Arockia Johny as Secondary Grade Teacher with effect from the date of his appointment viz., 03.10.2018 with salary and all other attendant benefits.

2. The case of the petitioner is that the petitioner School is a recognized and Aided Minority Educational Institution. The said School was established as a Primary School in the year 1927. The medium of instruction is Tamil. Aggrieved by the fixation of staff strength, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner has made an objection for the fixation of staff strength to the second respondent on 21.05.2018. But the same was not considered so far. He would further submit that it would suffice, if the second respondent is directed to consider the objection dated 21.05.2018 and pass appropriate orders, within a specified period.



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4. The learned Special Government Pleader appearing for the respondents has no objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the second respondent to consider the petitioner's objection, dated 21.05.2018 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to send a copy of the objection dated 21.05.2018 along with the copy of this order to the second respondent to enable him to pass appropriate orders.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

07.12.2022

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M.DHANDAPANI,J.

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