



W.P.No.18248 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18248 of 2023

and

W.M.P.No.17453 of 2023

Mahatma Gandhi High School,
27/59, Santhana Bajanai Kovil Street,
Villupuram - 605 602,
Rep. by its Correspondent,
Smt.R.Susheela

...Petitioner

Vs

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

2.The Director of School Education,
D.P.I. Campus, College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Villupuram District, Villupuram.

4.The District Educational Officer, [Secondary],
Villupuram Education District,
Villupuram.

...Respondents



W.P.No.18248 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the objection submitted by the petitioner school dated 09.06.2023 and consequently to revise the staff fixation order issued for the petitioner school for the academic year 2022-2023 dated 27.01.2023, actually served on the petitioner school in the month of April, 2023 and consequently restore the B.T.Assistants and Secondary Grade Teachers working in the petitioner school within the sanctioned strength in accordance with the ratio laid down by the Hon'ble Full Bench of this Court in S.Vigila case reported in 2006 (5) CTC 385 and in compliance of Right of Children to Free and Compulsory Education Act, 2009 (RTE Act), within a time frame.

For Petitioner : Mr.G.Sankaran, Sr. Counsel
for Mr.S.Nedunchezhiyan

For Respondents : Mr.S.Prabhakaran,
Government Advocate

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in the present Writ Petition is for a direction to the respondents to consider the objection submitted by the



W.P.No.18248 of 2023

petitioner school dated 09.06.2023 and to revise the staff fixation order issued for the academic year 2022-2023 dated 27.01.2023.

3. This Court is of the view that such a claim requires to be considered by the respondents and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the objection submitted by the petitioner school is directed to be disposed of within a stipulated time, the ends of justice could be secured.

4. In the light of the above observations, the third respondent herein is directed to dispose of the objection submitted by the petitioner school, dated 09.06.2023, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the claim/objection made by the petitioner and it is open to the concerned respondent to consider it on its own merits.



W.P.No.18248 of 2023

M.S.RAMESH,J.

hvk

5. With the above direction, the Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

22.06.2023

Index:Yes/No

hvk

To

- 1.The Principal Secretary to Government,
School Education Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 2.The Director of School Education,
D.P.I. Campus, College Road,
Chennai – 600 006.
- 2.The Chief Educational Officer,
Villupuram District, Villupuram.
- 4.The District Educational Officer, [Secondary],
Villupuram Education District,
Villupuram.

W.P.No.18248 of 2023