



WEB COPY



W.P.No.19229 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P.No.19229 of 2023  
and W.M.P.No.18458 of 2023

M.Shahnaz Begum

... Petitioner

Versus

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

2.The District Educational Officer  
Ranipet, Ranipet District

3.The Block Educational Officer  
Block Educational Office  
Arcot Range, Ranipet District

4.The Correspondent  
R.A.Aided Primary School  
Kilvisharam  
Ranipet District – 632 509

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the entire records connected with the impugned order passed by the 2<sup>nd</sup> respondent vide Na.Ka.No.2620/A4/2019, dated 25.06.2020 and quash the same and consequently direct the 2nd respondent to approve the appointment of the petitioner as Secondary grade teacher (urdu) in the 4th respondent school w.e.f. 16.07.2018 with all consequential benefits in the light of the order passed in WP No. 3189 of 2020 dated 26.02.2020 confirmed in WA No. 1090/ 2020 dated



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For Petitioner

: Mr.S.N.Ravichandran

For Respondents

: Mr.P.Baladhandayutham for R1-R3  
Special Government Pleader

### **ORDER**

This writ petition has been filed seeking to quash the Order of the second respondent in Na.Ka.No.2620/A4/2019, dated 25.06.2020, returning the proposal sent by the School Management/Fourth Respondent for appointing the petitioner and consequently direct the 2nd respondent to approve the appointment of the petitioner as Secondary grade teacher (urdu) in the Fourth Respondent School.

2. It is the grievance of the writ petitioner that on the same day, a similar order, returning the proposal, has been passed by the very same authority in respect of Islamiah Boys Aided Primary School, Melvisharam for appointing one Mrs.Fahmidunnisa as a Secondary Grade Teacher. The impugned order herein is in respect of the R.A Aided Primary School for appointment of one Mrs.M.Shahnaz Begum as a Secondary Grade Teacher. The impugned order is also returned on the ground that there are surplus teachers.

3. The earlier order dated 25.06.2020 in respect of Mrs.Fahmidunnisa is



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put in challenge before this Court in a writ petition in W.P.No.14240 of 2022.

This Court, by Order dated 15.06.2022 set aside the Order dated 25.06.2020 and directed the respondent to consider the appointment of approval of the petitioner. The relevant portion of the Order is extracted below:-

*"... 3. In the light of the judgment cited supra, the impugned order passed by the second respondent is quashed and remitted to the second respondent to consider and pass an order of approval of the appointment made by the fourth respondent School, in the light of the judgment cited supra, provided the said proposal satisfies all the norms prescribed for such appointment and as per the Rules, as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of copy of the order."*

Accordingly, the impugned order herein stands quashed in view of the order already passed in the above writ petition.

4. It is the contention of the learned Special Government Pleader that now insofar as the vacancies are concerned, there is no surplus teacher in the School. Therefore, if the management sends a fresh proposal, the same will be approved, whereas, the learned counsel for the petitioner submitted that a proposal is already been submitted.



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5. Such view of the matter, the respondents shall approve such proposal sent by the fourth respondent School within a period of one month from the date of receipt of a copy of this Order. Accordingly, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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dhk

Internet: Yes/No

Index : Yes/No



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To

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**N. SATHISH KUMAR, J.**



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