



WEB COPY



WP No.21836 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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P.Pugalenth

.. Petitioner

-vs-

1. State of Tamil Nadu

rep. By the Principal Secretary to Government,
Welfare of Differently Abled Persons Department,
Secretariat, Chennai-600 009.

2. The Director,

Welfare of Differently Abled Department,
Thiruvallikeni, Chennai-600 005.

3. The State Commissioner for Differently Abled,
Thiruvallikeni, Chennai-600 005.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent State of Tamil Nadu to take appropriate steps to implement the provisions of the Right of Children to Free and Compulsory Education Act, 2009 and make all the ten Blind Schools of Tamil Nadu functional by appointing a Chief Educational Officer and by filling in all the vacant posts of Teachers immediately.



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For the Petitioner : Mr.M.Radhakrishnan
For the Respondents : Mr.R.Shunmugasundaram
Advocate General
Assisted by Mr.P.Muthukumar,
State Government Pleader &
Ms.A.G.Shakeenaa
* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Radhakrishnan, learned counsel for the petitioner and Mr.R.Shunmugasundaram, learned Advocate General assisted by Mr.P.Muthukumar, learned State Government Pleader and Ms.A.G.Shakeenaa, learned counsel, for the respondents.

2. The learned counsel for the petitioner submits that there are ten schools for the visually-impaired in the State of Tamil Nadu. The vacant posts of teachers are not filled in. Large number of posts are vacant. Steps are also not undertaken by the State and its authorities for filling in the posts.

3. Counter-affidavit is filed by the Director for Welfare of the Differently-Abled persons.



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4. The learned Advocate General appearing on behalf the respondents submits that the second respondent has initiated process for recruiting teachers and in furtherance of which, the second respondent in September 2023 has requested the Teachers Recruitment Board to recruit 90 teachers for the Special Schools of Visually-impaired students. The Teachers Recruitment Board has sought certain details to issue notification. The details are being prepared and will be provided to the Teachers Recruitment Board to release the recruitment notification at the earliest.

5. It is further submitted that in the interregnum, the second respondent has sent a proposal to the Government seeking financial and administrative sanction to appoint 36 temporary teachers in the various vacancies in the Special Schools for Visually-impaired. The proposal is under active consideration by the Government.

6. The State in such matters has to act with sense of urgency. It is stated that respondent No.2 has already sent a proposal to the Teachers Recruitment Board and the Teachers Recruitment Board has



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sought certain details. The details are being prepared and will be provided to the Teachers Recruitment Board to release the recruitment notification at the earliest. The details shall be provided by respondent No.2 preferably within one month to the Teachers Recruitment Board so as to enable the Teachers Recruitment Board to proceed ahead for issuing recruitment notification. Thereafter, the process be completed expeditiously. In the interregnum, the respondents may appoint the temporary teachers as a stop-gap arrangement. The Government has to consider that the differently-abled students' career is not put to jeopardy because of lack of teachers.

With the above observations, the writ petition is disposed of.
There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

10.10.2023

Index : Yes/No

Neutral Citation : Yes/No

sra



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