



W.P.No.26366 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26366 of 2021

R.Ramalingam

... Petitioner

Vs.

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

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

3. The District Educational Officer,
Sendurai Educational District,
Ariyalur District.

4. The Block Educational Officer,
Sendurai Block,
Ariyalur District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to pass orders on the proposal dated 18.11.2020 for approval of Secretaryship and School committee based on the Resolution No.1, dated 18.04.2018, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For Respondents : Mr.P.Sathish
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a direction to the respondents to pass orders on the proposal dated 18.11.2020 for approval of Secretaryship and School committee based on the Resolution No.1, dated 18.04.2018.

2. The case of the petitioner is that the Solai Aided Primary School, Siluppanur is an aided School governed by the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973. The



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School Committee meeting was conducted on 18.04.2018 and a resolution was passed, in which, the petitioner was appointed as the Secretary of the said School due to ailments of the then Secretary, viz., Amodhanambal. Subsequently, on 18.11.2020, a proposal was forwarded to the Department for approval of Secretaryship as well as School Committee and the same was not considered by the respondents. In the meantime, there was some dispute between the Headmaster and Secondary Grade Teacher working in the petitioner School, which resulted in suspension of the Secondary Grade Teacher. Thereafter, the third respondent issued orders dated 20.04.2020 for direct payment to the petitioner School and the same was stayed by the orders of this Court in W.P.No.7776 of 2020 and it is pending. In the absence of the approval of the School Committee, no further action can be pursued by the petitioner School even to take disciplinary action against the erring teacher placed under suspension. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.



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3. The learned Senior Counsel appearing for the petitioner would submit that it would suffice, if this Court may issue a direction to the first respondent to consider the proposal dated 18.11.2020 for approval of Secretaryship and School Committee based on the Resolution No.1 dated 18.04.2018, within a time frame that may be fixed by this Court.

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

5. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

6. Considering the limited request made by the learned counsel for the petitioner and in view of the fair submission made by the learned Additional Government Pleader, this Court, without going into the merits of the matter, directs the first respondent to consider the proposal dated



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18.11.2020 for approval of Secretaryship in favour of the petitioner and pass appropriate orders, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

08.06.2023
(2/2)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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M.DHANDAPANI,J.

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