



WEB COPY



W.P.Nos.28684, 28689, 28695 & 28698 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.Nos.28684, 28689, 28695 & 28698 of 2023

& WMP.Nos.28239, 28243, 28249 & 28254 of 2023

1. The Correspondent,
Concordia Higher Secondary Schools,
Ambur Society, Ambur, Thirupattur District.

2. The President,
Indian Evangelical Lutheran Church,
Ambur Synod, Mission compound,
Ambur, Thirupattur District.

... Petitioners

Vs

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

2. The Chief Educational Officer,
Thirupattur.

3. The District Educational Officer [Secondary],
Thirupattur, Thirupattur District.

... Respondents

Prayer :- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records



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of the second respondent in Na.Ka.No.3305/A2/2023 dated 30.08.2023 and quash the same and consequently direct the respondents to accord approval to the appointment of S.Vasanthi, as PG Assistant History, J.Kirbagaran, P.G. Assistant Tamil, V.Shakinder as BT Assistant History, P.Malarrani, P.G. Assistant Botany respectively in the Concordia Higher Secondary School, Ambur Thirupattur District with effect from 07.06.2017 by taking into account the fact that the proposal has been submitted by the duly constituted Executive Committee duly elected during the conduct of the elections by the Interim Administrator appointed by this Court and Correspondanceship of the said schools has been duly approved by the proceedings of the Chief Educational officer in Na.Ka.No.777/A2/2023 dated 03.03.2023.

For Petitioner : Mrs.Dakshayini Reddy, Sr. Counsel
R.Sunetha

For Respondents : Mr.P.Balathandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the impugned Order in Na.Ka.No.3305/A2/2023 dated 30.08.2023 and consequently direct the respondents to accord approval to the appointment of S.Vasanthi, as PG Assistant History, J.Kirbagaran, P.G. Assistant Tamil, V.Shakinder as



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BT Assistant History, P.Malarrani, P.G. Assistant Botany respectively in the Concordia Higher Secondary School, Ambur Thirupattur District with effect from 07.06.2017 by taking into account the fact that the proposal has been submitted by the duly constituted Executive Committee duly elected during the conduct of the elections by the Interim Administrator appointed by this Court and Correspondanceship of the said schools has been duly approved by the proceedings of the Chief Educational officer in Na.Ka.No.777/A2/2023 dated 03.03.2023.

2. The case of the petitioners is that originally four appointments were made in the year 2017 by the then correspondent. However, since there was some dispute in running the school, this Court has appointed an Interim Administrative, viz., Honourable Justice Hariparanthaman [retired] to manage the affairs of the Church till the new office bearers are elected. Subsequently new office bearers have assumed charge and the interim administrator has also been relieved. It is the further contention of the petitioners that the four appointments have been originally made by the then correspondent and the same has been ratified



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by the new office bearers and educational committee. However, now approval has been rejected by the second respondent on the ground that the Interim Administrator has informed that since the appointment of then correspondent was not approved, the appointments made by him shall not be approved. Thereafter, individual representation sent by the appointees has been rejected.

3. The learned Special Government Pleader submitted that no proposal has been sent by the new correspondent and the Education Committee and only individual representation has been rejected and if the new correspondent and education committee send a proposal, the same will be considered and Orders will be passed on merits.

4. In such view of the matter, the petitioners are directed to send a fresh proposal including ratification of the earlier appointments made and seek approval within a period of two weeks from the date of receipt of this Order. On receipt of such proposal, the second respondent shall pass Orders on the same within a period of one month thereafter.



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5. With the above directions, these Writ Petitions are disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

29.09.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Director School Education,
DPI Campus, College Road, Chennai – 600 006.
2. The Chief Educational Officer,
Thirupattur.
3. The District Educational Officer [Secondary],
Thirupattur, Thirupattur District.



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N.SATHISH KUMAR, J.

VTC

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