



W.P.(MD)No.5982 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5982 of 2020

and

W.M.P(MD)No.5182 of 2020

P.Jeba Resa

... Petitioner

Vs.

- 1.The Secretary to Government,
Department of School Education,
St. George Fort, Chennai.
- 2.The Director of School Education,
DPI Compound,
College Road,
Chennai.
- 3.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
- 4.The District Educational Officer,
Tirunelveli,
Tirunelveli District.
- 5.The Correspondent,
Cathedral Higher Secondary School,
Palayamkottai,
Tirunelveli District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records insofar as 3rd condition embodied in the impugned staff fixation report issued by the third respondent in Na.Ka.No.9937/AA1/2018 dated .02.2019 and consequential order passed in O.Mu.No.1323/AA4/2019 dated 25.11.2019 and quash the same and consequently, direct the respondents to pass appropriate orders permitting the conversion of the post of Agricultural Instructor into Sewing Instructor with all other consequential service and monitory benefits w.e.f., 18.01.2019 within the stipulated time.

For Petitioner : Mr.S.Chellapandian

For R-1 to R-4 : Mr.S.Saji Bino,
Additional Government Pleader

For R-5 : No Appearance

ORDER

This writ petition has been filed to quash the impugned staff fixation report issued by the third respondent in Na.Ka.No.9937/AA1/2018 dated .02.2019 and consequential order passed by the fourth respondent in O.Mu.No.1323/AA4/2019 dated 05.11.2019 (signed on 25.11.2019) and consequently, to direct the respondents to pass appropriate orders permitting the conversion of the



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post of Agricultural Instructor into Sewing Instructor with all other consequential service and monetary benefits w.e.f., 18.01.2019, within a stipulated period.

2. The case of the petitioner is that she has completed her SSLC in the year 1998 and completed her Technical Teacher Course (Embroidery & Needle Work) in the year 2001 and thereafter, completed her Technical Teacher Course (Sewing) in the year 2003. While being so, one post of Pre-vocational Instructor (Agri-Instructor) in the fifth respondent school fell vacant on 31.08.2002. On account of the student's non-interest in Agricultural subject, the management decided to convert the said post of pre-vocational instructor (Agri-Instructor) into that of pre-vocational Instructor (Sewing). Subsequently, the petitioner was appointed in the said post as Sewing Teacher on 18.01.2019 and the fifth respondent submitted proposal to the fourth respondent on 08.03.2019 for approval. However, The fourth respondent returned the proposal vide the impugned proceedings. Hence, challenging the same, the petitioner has filed this writ petition with the aforesaid prayer.



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3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the issue arises in this writ petition with regard to approval of Sewing Teacher is pending before the Hon'ble Apex Court and therefore, this Court may grant liberty to the petitioner to work out her remedy after disposal of the S.L.P. Pending before the Hon'ble Apex Court.

4. In view of above, this Writ Petition is dismissed with a liberty to the petitioner to work out her remedy after disposal of the S.L.P., pending before the Hon'ble Apex Court. No Costs. Consequently, connected miscellaneous petition is closed.

23.01.2023

NCC:Yes/No

Index:Yes/No

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M.DHANDAPANI, J.

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