



W.P(MD)No.8783 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.8783 of 2023

and

W.M.P(MD)Nos.8028 & 8032 of 2023

J.Joseline Praba

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
The Office of the CEO,
S.L.B South Road,
Nagercoil,
Kanyakumari District-629 001.
- 4.The District Educational Officer,
The Office of the DEO,
S.L.B South Road,
Nagercoil,
Kanyakumari District-629 001.



W.P(MD)No.8783 of 2023

5.The Correspondent,
Little Flower Girls Hr. Sec. School,
Ramanputhur,
Nagercoil-629 004,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the third respondent Chief Educational Officer in O.Mu.No.7722/E4/2020, dated 13.01.2022 and the consequential proceeding of the fourth respondent District Educational Officer in O.Mu.No.6908/A3/2018, dated ...02.2022, quash the same and further direct the third respondent Chief Educational Officer to approve forthwith the appointments of the petitioner as B.T Assistant (Maths) in the fifth respondent School with effect from 07.10.2014 and disburse grant-in-aid towards her salary and other attendant benefits.

For Petitioner : M/s.S.Amala Irudhaya Mary

For R-1 to R-4 : Mr.D.Sadiq Raja
Additional Government Pleader

For R-5 : Mr.A.Santhanam

ORDER

The present writ petition has been filed by a B.T Assistant (Maths) Teacher, who was appointed in the fifth respondent School seeking to set aside the order passed by the fourth respondent herein, wherein her request for



W.P(MD)No.8783 of 2023

approval of appointment has been rejected on the ground that there are surplus Teachers in the Corporate Management.

2. The petitioner has been appointed on 07.10.2014 and on the same day, the proposal has been forwarded by the fifth respondent School to the third respondent for approval. After several returns, the School has resubmitted the proposal.

3. Though the petitioner was appointed in the academic year 2014-2015, no staff fixation order has been issued for the said academic year. The fourth respondent has sent a communication to the third respondent on 02.11.2016 to the effect that there are no surplus Teachers in the fifth respondent Corporate Management for the academic year 2015-2016. Therefore, the third respondent is hereby directed to approve the appointment of the writ petitioner with effect from 07.10.2014 as B.T Assistant (Maths) with all attendant benefits and pass orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



W.P(MD)No.8783 of 2023

WEB COPY

4. This writ petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

27.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Secretary,
The State of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
The Office of the CEO,
S.L.B South Road,
Nagercoil,
Kanyakumari District-629 001.
- 4.The District Educational Officer,
The Office of the DEO,
S.L.B South Road,
Nagercoil, Kanyakumari District-629 001.



W.P(MD)No.8783 of 2023

WEB COPY

5. The Correspondent,
Little Flower Girls Hr. Sec. School,
Ramanputhur,
Nagercoil-629 004,
Kanyakumari District.



WEB COPY



W.P(MD)No.8783 of 2023

R.VIJAYAKUMAR, J.

BTR

W.P(MD)No.8783 of 2023

27.11.2023