



W.P.(MD)No.9739 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.9739 of 2020

and

W.M.P(MD)Nos.8741 to 8743 of 2020

T.Julies Halvin

... Petitioner

Vs.

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

2.The Chief Educational Officer,
O/o.the Chief Educational Officer,
Kanyakumari District.

3.The District Educational Officer,
O/o.the District Educational Officer,
Nagercoil,
Kanyakumari District.

4.The Christian Welfare High School,
Represented by its Correspondent,
Thadikkarankonam,
Kanyakumari District.

... Respondents



W.P.(MD)No.9739 of 2020

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Mo.Mo.No.8824/E4/2019, dated 28.07.2020 on the file of the second respondent and quash the same as illegal insofar as treating the Physical Education Teacher Post as surplus without teacher and consequently for a direction, directing the third respondent to grant approval to the appointment of the petitioner in the post of Physical Education Teacher at the fourth respondent school with effect from 03.06.2019 with all consequential benefits within the time period stipulated by this Court.

For Petitioner	: Mr.Aswin Rajasimman for Mr.T.Lajapathi Roy
For R-1 to R-3	: Mr.J.Ashok, Additional Government Pleader

ORDER

This writ petition has been filed to quash the impugned order, dated 28.07.2020, passed by the second respondent in Mo.Mo.No.8824/E4/2019, as illegal insofar as treating the Physical Education Teacher Post as surplus without teacher and consequently, to direct the third respondent to grant approval to the appointment of the



W.P.(MD)No.9739 of 2020

WEB COPY

petitioner in the post of Physical Education Teacher at the fourth respondent school with effect from 03.06.2019 with all consequential benefits, within a stipulated period.

2. Though the writ petition is filed challenging the staff fixation order passed by the second respondent, dated 28.07.2020, when the matter was taken up for hearing today, the learned counsel appearing for the petitioner, on instructions, would submit that it would suffice, if the first respondent is directed to consider the proposal sent by the fourth respondent school, dated 03.07.2019 and pass orders, within a specified period.

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

4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter,



W.P.(MD)No.9739 of 2020

WEB COPY

directs the first respondent to consider the proposal sent by the fourth respondent school, dated 03.07.2019, 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.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.01.2023

PM
NCC:Yes/No
Index:Yes/No

- To
- 1.The Director of School Education,
DPI Campus,
College Road,
Chennai – 600 006.
 - 2.The Chief Educational Officer,
O/o.the Chief Educational Officer,
Kanyakumari District.
 - 3.The District Educational Officer,
O/o.the District Educational Officer,

4/6



W.P.(MD)No.9739 of 2020

Nagercoil,
Kanyakumari District.

M.DHANDAPANI,J.

pm

W.P.(MD)No.9739 of 2020



WEB COPY



W.P.(MD)No.9739 of 2020

10.01.2023