



W.A.(MD) No.4 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.11.2023**

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THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.4 of 2021
and C.M.P.(MD) No.18 of 2021

- 1.The Director of Elementary Education,
College Road, Chennai – 6.
- 2.The District Elementary Education Officer,
Kanyakumari District.
- 3.The Assistant Elementary Education Officer,
Karunkulam, Kanyakumari District. ... Appellants/Respondents 1 to 3

-Vs.-

- 1.J.Latha Rani ... 1st Respondent/Writ Petitioner
- 2.The Correspondent,
Rev. S.Mathias Memorial C.S.I. Primary School,
Arasakulam, Thengapattanam,
Kanyakumari District. ... 2nd Respondent/4th Respondent

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 06.11.2019 made in W.P.(MD)No.10317 of 2018 on the file of this Court.

For Appellants : Mr.D.Sadiq Raja
Additional Government Pleader



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For Respondents : Mr.J.Gunaseelan Muthiah
for R1

No appearance for R2

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal on hand has instituted against the order dated 06.11.2019, passed in W.P.(MD) No.10317 of 2018.

2. The approval of appointment of the first respondent had been rejected on the ground that she did not possess the qualification of the Teachers Eligibility Test. The learned Single Judge, while setting aside the order impugned dated 23.04.2018, directed the second respondent herein to resubmit the proposal for approval of appointment of the first respondent to the third appellant within a period of two weeks from the date of receipt of a copy of this order.

3. Learned Government Pleader made a submission that in the event of resubmitting the proposal, the authorities will consider the same on merits and in accordance with law.



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4. That being the submission, the second respondent is at liberty to resubmit the proposal and on such submission the competent authority shall consider the same on merits and in accordance with law.

5. With these clarifications, the order impugned stands confirmed and the Writ Appeal is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

[S.M.S.J.] & [V.L.N.J.]
23.11.2023

NCC :Yes/No
Index :Yes/No
SJ

To

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AND
V. LAKSHMINARAYANAN, J.

SJ

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