



CMP(MD) No.12851 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Sixth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CMP(MD) No.12851 of 2023
in
WA(MD)No.1668 of 2023

1 THE STATE OF TAMIL NADU,
REP. 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,
NAGERCOIL,
KANYAKUMARI DISTRICT.

4 THE DISTRICT EDUCATIONAL OFFICER,
THIRUVATTAR,
KANYAKUMARI DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

1 R.JINO ROBERT,
PHYSICAL EDUCATION TEACHER,
ARUNACHALAM HIGHER SECONDARY SCHOOL,
THIRUVATTAR -629 177,
KANYAKUMARI DISTRICT.



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2 THE CORRESPONDENT,

ARUNACHALAM HIGHER SECONDARY SCHOOL,
THIRUVATTAR- 629 177,
KANYAKUMARI DISTRICT.

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of interim stay of operation of order dated 07-11-2022 passed by this Honourable Court in WP(MD)No.12177 of 2022, pending disposal of the above writ appeal.

Prayer in WA(MD). 1668/ 2023 :

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the Judgment dated 07-11-2022 in WP(MD)No.12177 of 2022 on the file of this Honourable Court.

Prayer in WP(MD). 12177/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 3rd respondent CEO in Na.Ka.No.2109/e2/2020 dated 14.12.2021 quash the same, further direct the 3rd respondent Chief Educational Officer herein to approve forthwith the appointment of petitioner as Physical Education Teacher in the 5th respondent school namely, Arunachalam Higher Secondary School, Thiruvattar from the date of his appointment i.e., 12.07.2018 and disburse the grant-in-aid towards his salary and allowance w.e.f. the said date.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.SADIQ RAJA, Additional Government Pleader for the petitioner and of M/s.A.AMALA, Advocate on behalf of the 1st Respondent while admitting the Writ appeal., the Court made the following order:-

Though the learned Additional Government Pleader projected a case that the respondent school is not a minority institution, the impuged order passed by the



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authority, does not reflect the same. Therefore, this Court is not inclined to grant any interim order in this petition. Hence, this Civil Miscellaneous Petition is dismissed.

sd/-
26/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PM

TO

1 THE SECRETARY,
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.

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ORDER
IN
CMP(MD) No.12851 of 2023
in
WA(MD)No.1668 of 2023
Date :26/09/2023

SS/JGB/03/10/2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023