



W.P(MD)No.20231 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20231 of 2023

T.Gnanaselvi Jasmine

... Petitioner

Vs.

1.The Director of Elementary Education,
College Road, Chennai-600 006.

2.The District Elementary Educational Officer,
Tuticorin, Tuticorin District.

3.The Block Educational Officer,
Ottapidaram Union, Thoothukudi District.

4.The Correspondent,
TNDTS Middle School,
Veppankulam,
Ottapidaram Union,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 3rd respondent herein vide in O.Mu.No.1209/E2/2023, dated 31.07.2023 and quash the same and further direct the 2nd respondent herein to approve the petitioner's appointment as BT Assistant (Maths) in the 4th respondent school w.e.f., the date of appointment viz., 22.11.2017 with salary and attendant benefits.



W.P(MD)No.20231 of 2023

For Petitioner : Mr.A.Ajith Geethan
For R1 - R3 : Mr.D.Sadiq Raja
Additional Government Pleader
For R4 : No Appearance

ORDER

The present writ petition has been filed by a B.T Assistant (Maths) Teacher appointed by the 4th respondent management school. The said appointment order was forwarded to the 3rd respondent herein for his approval. The 3rd respondent under the impugned order, dated 31.07.2023 has rejected the said approval on the ground that subject roaster has not been followed and the 4th respondent corporate management is having surplus teachers. Therefore, they are not in a position to grant approval to the appointment of the writ petitioner.

2. A perusal of the order impugned in the writ petition will clearly show that it is a high generalized order without mentioning the fact how many surplus teachers of B.T Assistant (Maths) are available within the corporate management and how many surplus teachers are available in the said school. It has also not been stated which other subject teacher should have been appointed as per the subject roaster, if at all the said subject roaster is applicable to an aided school.



W.P(MD)No.20231 of 2023

3. In view of the above said facts, the order impugned in the writ petition, dated 31.07.2023 is set aside on the ground of vagueness and the matter is remitted back to the file of the 3rd respondent herein. The 3rd respondent after giving due opportunity to the 4th respondent management, shall pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of copy of this order.

4. With the above said observations, this Writ Petition stands disposed of. No costs.

27.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gbg

To

- 1.The Director of Elementary Education,
College Road, Chennai-600 006.
- 2.The District Elementary Educational Officer,
Tuticorin, Tuticorin District.
- 3.The Block Educational Officer,
Ottapidaram Union, Thoothukudi District.



WEB COPY



W.P(MD)No.20231 of 2023

R.VIJAYAKUMAR,J.

gbg

Order made in
W.P(MD)No.20231 of 2023

Dated:
27.11.2023