



W.P.(MD).Nos.20935 to 20938 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.20935 to 20938 of 2023

and

W.M.P(MD) Nos.17337, 17339, 17340 and 17341 of 2023

Z.K.M.Higher Secondary School,
Bodinayakanur,
Theni District,
Represented by its Secretary,
S.M.Ramasubramanian

... Petitioner
(in all writ petitions)

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
St. George Fort, Chennai – 600 009.
2. The Director,
School Education Department,
College Road,
Chennai – 600 009.
3. The Chief Educational Officer,
Office of the Chief Educational Office,
Theni, Theni District.



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4. The District Educational Officer,
Office of the District Educational Office,
Theni,
Theni District.

... Respondents
(in all writ petitions)

PRAYER in W.P(MD) No.20935 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to approve the appointment of K.Malavika as B.T.Assistant (English) w.e.f., 09.09.2019 and pay arrears of salary with all consequential benefits arising thereon by considering the proposal submitted by the petitioner in his proceedings dated 01.04.2021 and in the light of similar order made in W.P(MD) No. 8163 of 2020, dated 20.09.2022 and W.P(MD) No.8312 of 2023, dated 05.06.2023 within the period that may be stipulated by this Court.

PRAYER in W.P(MD) No.20936 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to approve the appointment of V.Vinothini as B.T.Assistant (Science) w.e.f., 09.09.2019 and pay arrears of salary with all consequential benefits arising thereon by considering the proposal submitted by the petitioner in his proceedings dated 01.04.2021 and in the light of similar order made in W.P(MD) No. 8163 of 2020, dated 20.09.2022 and W.P(MD) No.8312 of 2023, dated 05.06.2023 within the period that may be stipulated by this Court.



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PRAYER in W.P(MD) No.20937 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to approve the appointment of B.Panchavarnam as B.T.Assistant (Tamil) w.e.f., 09.09.2019 and pay arrears of salary with all consequential benefits arising thereon by considering the proposal submitted by the petitioner in his proceedings dated 01.04.2021 and in the light of similar order made in W.P(MD) No. 8163 of 2020, dated 20.09.2022 and W.P(MD) No.8312 of 2023, dated 05.06.2023 within the time period that may be stipulated by this Court.

PRAYER in W.P(MD) No.20938 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to approve the appointment of P.Sathiyabama as B.T.Assistant (Maths) w.e.f., 09.09.2019 and pay arrears of salary with all consequential benefits arising thereon by considering the proposal submitted by the petitioner in his proceedings dated 01.04.2021 and in the light of similar order made in W.P(MD) No. 8163 of 2020, dated 20.09.2022 and W.P(MD) No.8312 of 2023, dated 05.06.2023 within the period that may be stipulated by this Court.

For Petitioner	: Mr.C.Venkatesh Kumar for M/s.Ajmal Associates (in all writ petitions)
For Respondents	: Mr.N.GA.Natraj Government Advocate (in all writ petitions)



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COMMON ORDER

All these writ petitions have been filed by a Non-Minority Aided Educational Institution seeking a mandamus to direct the third respondent herein to approve the appointment of four B.T.Assistants, who were appointed on 09.09.2019.

2. According to the learned counsel appearing for the writ petitioner, the prior approval was granted by the concerned educational authorities for appointing all the four B.T Assistants. Based upon the prior approval, B.T.Assistant Teachers were appointed and the Management had forwarded the proposal to the third respondent for its approval. The proposal was sent on 10.07.2020 and it was resubmitted on 01.04.2021. According to the learned counsel appearing for the writ petitioner, thereafter, there is no response from the third respondent herein. Hence, the present writ petitions.

3. Considering the fact that the prior approval has already been granted by the authorities for the posts of B.T.Assistants, a direction is issued to the



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third respondent herein to consider the proposal sent by the petitioner's Management with regard to the approval of appointment of all the four B.T.Assistants and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, without reference to G.O.(Ms)No.165, Education Department, dated 17.09.2019.

4. With the above said observations, these Writ Petitions stand allowed. There shall be no order as to costs. Consequently, connected Miscellaneous petitions stand closed.

15.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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R.VIJAYAKUMAR,J.

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