



W.P.(MD)No.8918of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.8918 of 2016

and

W.M.P(MD)No.7103 and 7104 of 2016

The Correspondent,
Mar Gregorios M.S.C. High School,
Kirathoor 629 160,
Kanyakumari District.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai 600 006.
- 2.The Director of School Education,
College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
Nagercoil, Kanyakumari District.
- 4.The District Educational Officer,
Kuzhithurai – 629 163,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records relating to the impugned proceedings issued by the 4th respondent District Educational Officer in A.Thi.Mu.No.1959/Aa3/16 dated 21.04.2016, quash the same and further direct the 4th respondent District Educational Officer to approve forthwith the appointment of V. Sheeba Mary as BT Assistant(Tamil) in the petitioner's school with effect from the date of her appointment on 12.06.2014 with all attendant benefits including the arrears of salary and allowance.

For Petitioner : Mr.T.Cibi Chakraborty

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

This writ petition is filed challenging the impugned order, dated 21.04.2016 with consequential direction to the 4th respondent to approve the appointment of V. Sheeba Mary as BT Assistant(Tamil) in the petitioner's school, with effect from the date of her appointment on 12.06.2014 with all attendant benefits.



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2. Heard Mr.T.Cibi Chakraborty, learned counsel appearing for the petitioner and Mr.V.Om Prakash, learned Government Advocate, appearing for the respondents. Perused the material documents available on record.

3. The school has recruited one V. Sheeba Mary as BT Assistant (Tamil) in the petitioner's school, with effect from 12.06.2014. The respondents have declined to grant approval since the petitioner has secured 85 marks and failed in the TET examination. The pass mark to qualify TET is 90 marks. Subsequently, the issue was considered by the Government and issued G.O.Ms.No.25, School Education (TRB) Department, dated 06.02.2014, wherein 5% grace mark was granted. After granting the said grace marks the petitioner is considered to be have passed the examination. Based on the same, approval was granted by the respondents. Therefore, nothing survives for adjudication.



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4. Accordingly, this Writ Petition is closed. No Costs. Consequently,
connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
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To

- 1.The Secretary,
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Department of School Education,
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College Road, Chennai – 600 006.
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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 8918 of 2016**

12.04.2023