



W.P.(MD).No.24268 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24268 of 2023

and

W.M.P(MD) Nos.20452 and 20454 of 2023

S.Syed Salauddeen

...Petitioner

Vs.

1. The Secretary to Government,
Department of School Education,
Secretariat,
Fort St. George,
Chennai – 600 009.
2. The Director,
Department of School Education,
College Road, DPI Compound,
Nungambakkam,
Chennai – 600 006.
3. The Joint Director of Higher Secondary School Education,
College Road, DPI Compound,
Nungambakkam,
Chennai – 600 006.
4. The Chief Educational Officer,
Department of School Education,
Government Syed Murthuza Higher Secondary School Campus,
Thiruchirappalli – 620 008.



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5. The District Educational Officer,
Department of School Education,
Thiruchirappalli – 620 001.

6. The Secretary and Correspondent,
Khajamian Higher Secondary School,
Khaja Nagar,
Tiruchirappalli – 620 020.

7. A.Sathik Batcha,
Head Master – in – charge,
Khajamian Higher Secondary School,
Khaja Nagar,
Thiruchirappalli – 620 020.

...Respondents

PRAYER: 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 consider the petitioner's Appeal, dated 24.07.2023, made under Rule 15(4-A) of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974, and to pass orders setting aside the selection and appointment of the seventh respondent to the post of Headmaster in the sixth respondent's school, as per the Circular, dated Nil and as per another Circular, dated 21.07.2023, issued by the 6th respondent, and further directing the sixth respondent to appoint the petitioner to the post of Headmaster that has fallen vacant on 01.06.2023 in the sixth respondent's School, within a stipulated period of time.

For Petitioner : Mr.D.Gnanasekaran

For Respondents : Mr.V.Omprakash
Government Advocate – for R1 to R5
: Mr.P.Arun Jeyatram - for R6



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ORDER

The present Writ Petition has been filed by a B.T.Assistant Teacher, working in a Aided Minority School seeking a mandamus to direct the third respondent to dispose of his Appeal.

2. The Writ Petitioner and the seventh Respondent herein competed to the post of Headmaster in the sixth respondent's School. The Management has chosen the seventh respondent as the Headmaster. Challenging the same, the writ petitioner has filed an Appeal under Rule 15 (4-A) of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974, with the third respondent on 24.07.2023. According to the writ petitioner, the appeal is still pending with the third respondent and he had filed the present Writ Petition for expeditious disposal of the said Appeal along with other prayers.

3. This Court is of the considered opinion that it would be suffice to direct the third respondent to pass orders in the Appeal presented by the writ petitioner. The third respondent herein is directed to dispose of the appeal presented by the writ petitioner within a period of twelve (12) weeks from the



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date of receipt of a copy of this order, after affording due opportunity to the writ petitioner, the School Management and the seventh respondent who has been chosen by the Management as the Headmaster.

4. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

06.10.2023

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

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3. The Joint Director of Higher Secondary School Education,
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R.VIJAYAKUMAR,J.

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