



W.P(MD)No.27967 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27967 of 2023

and

W.M.P(MD)Nos.24175 & 24177 of 2023

The Correspondent,
Sacred Heart Primary School,
Srivilliputtur-626 125,
Virudhunagar District.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.
- 2.The Director of Elementary Education,
College Road, Chennai-600 006.
- 3.The District Educational Officer (Elementary),
Sivakasi, Virudhunagar District.
- 4.The Block Educational Officer,
Srivilliputtur, Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent DEO in



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Na.Ka.No.982/Aa2/2023, dated 12.05.2023, quash the same and further direct the third respondent DEO to approve forthwith the appointment of Tmt.M.Ruby Josephin Mary as Secondary Grade Teacher in the petitioner School with effect from 23.07.2018, with all attendant benefits including arrears of salary.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed by School Management challenging the order passed by the third respondent herein, wherein the request for approval of the appointment of the Secondary Grade Teacher has been rejected.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner School falls within the Administration of a Corporate Management called as Trichy ICM Educational Institutions. However, in the impugned order it has been referred that it falls within RC Corporate Management erroneously. The learned Counsel appearing for the petitioner further submits that the Trichy ICM Corporate Management is running only four Schools and there are no



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surplus Secondary Grade Teachers in anyone of the four Schools. Hence, he seeks to set aside this order.

3. Considering the fact that the third respondent has erroneously considered ICM Management as RC Corporate Management and passed this order, this Court is inclined to set aside the said order. The petitioner Management is directed to place on record that they are not having any surplus Teachers in any one of the four Schools run by them. Based upon the said record, the third respondent herein is directed to pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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R.VIJAYAKUMAR, J.

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