



W.P(MD)No.28243 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28243 of 2023

and

W.M.P(MD)No.24306 of 2023

A.Kanimozhi

... Petitioner

Vs.

1.The Chief Educational Officer,
Dindigul District.

2.The District Educational Officer,
Dindigul, Dindigul District.

3.The Correspondent,
John Paul Higher Secondary School,
Nehruji Nagar, Dindigul,
Dindigul 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 2nd respondent herein in A.thi.Mu.No.2176/A4/2023, dated 07.07.2023, quash the same, and further direct the respondents 1 and 2 herein to approve the appointment of the petitioner as BT Assistant (Tamil) in the 3rd respondent - school from 28.04.2023 onwards with salary and other



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attendant benefits.

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For Petitioner : Mr.E.V.N.Siva

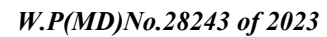
For R1 & R2 : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed by a B.T Assistant (Tamil), challenging the order passed by the 2nd respondent herein wherein the appointment order issued to her has not been approved.

2. According to the writ petitioner, she was appointed as a B.T Assistant in the 3rd respondent school on 28.04.2023. The 3rd respondent school has submitted a proposal to the 2nd respondent on 08.05.2023 for approval to the appointment. Under the impugned order, dated 07.07.2023, the 2nd respondent herein has returned the proposal on the ground that they are awaiting orders from the Director of School Education with regard to approval of the appointment.

3. The learned counsel appearing for the petitioner submits that the 3rd respondent school is under corporate management. There are no surplus B.T Assistant (Tamil) teachers in anyone of the schools falling



within the corporate management. Therefore, he seeks for approval of the appointment.

4. A perusal of the impugned order clearly shows that a generalized order has been passed without specifying on what ground the appointment of the writ petitioner has not been approved. The 2nd respondent is not expected to await for any guidelines from the Director of School Education when the appointment and approval are governed by the already existing Government Orders.

5. In view of the above said facts, the order impugned in the writ petition is set aside and the matter is remitted back to the file of the 2nd respondent herein. The 2nd respondent, after verifying the records of the corporate management and after being satisfied that there are no surplus B.T Assistant (Tamil) Teachers in the corporate management, shall proceed to approve the appointment of the writ petitioner as B.T Assistant (Tamil) with effect from 28.04.2023 with all attendant benefits. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of copy of this order.



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6. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

04.12.2023

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

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To

- 1.The Chief Educational Officer,
Dindigul District.
- 2.The District Educational Officer,
Dindigul, Dindigul District.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.28243 of 2023

Dated:
04.12.2023