



W.P.(MD).No.28388 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28388 of 2023

Hindu Nadar Uravinmurai Committee Higher Secondary School,
Through its Secretary/Correspondent,
T.Thangaraj,
T.N.Pudhukudi,
Puliyankudi,
Tenkasi District.

... Petitioner

Vs.

1. The Director of School Education,
Chennai.
2. The Joint Director of School Education (Secondary)
Chennai – 6.
3. The Chief Educational Officer,
Chief Educational Office,
Tenkasi District,
Tenkasi.
4. The District Educational Officer,
District Educational Office,
Tenkasi, Tenkasi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents herein to consider the petitioner's proposal dated 01.11.2023 and pass appropriate order to accord sanction to fill up two Physical Education Teacher from the common pool of the first respondent and release the grant in aid to the Hindu Nadar Uravinmurai Committee Higher Secondary School in the light of the G.O.Ms.No.525, dated 29.12.1997 within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed by a Non-Minority Aided School seeking a mandamus as against the respondents 1 and 2 to consider their proposal for sanction of additional posts of Physical Education Teachers in their School.

2. According to the learned counsel appearing for the petitioner, it is a Higher Secondary School having students strength of more than 1,700 students. As per the staff fixation order for the academic year 2022-2023, only one Physical Education Teacher post has been allotted to the School. Hence, the petitioner Management has sent representation to the first



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respondent on 01.11.2023 through the second respondent seeking orders granting two additional posts of Physical Education Teachers to the petitioner's School. The said representation is till pending. Hence, the present writ petition has been filed.

3. The learned counsel has referred to G.O.(Ms) No.525, School Education Department, dated 29.12.1997 and specifically referred to Clause (3) (C) of the said Government Order and contended that the School is eligible for two more additional posts of Physical Education Teachers.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. In view of the above said facts, the first respondent herein is directed to consider the representation of the petitioner School dated 01.11.2023 in the light of the G.O.(Ms) No.525, dated 29.12.1997 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this Writ petition stands disposed of. There shall be no order as to costs.

01.12.2023

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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