



W.P(MD)No.29115 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29115 of 2023

and

W.M.P(MD)No.25165 of 2023

The Correspondent,
St. Mary's Higher Secondary School,
Vickramasingapuram-627 425,
Tirunelveli 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 School Education,
College Road, Chennai-600 009.

3.The Chief Educational Officer,
Tirunelveli, Tirunelveli District.

4.The District Educational Officer (Secondary),
Tirunelveli, Tirunelveli 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 proceedings issued by the fourth respondent



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District Educational Officer in A.Thi.Mu.No.3170/a3/2023, dated 08.09.2023, quash the same and further direct the third respondent Chief Educational Officer herein to approve forthwith the appointment of R.Thaines Viyagula Mary as B.T Assistant English in the petitioner's school with effect from 01.08.2018 and disburse the grant-in-aid towards her salary and allowances with effect from the said date with all attendant benefits.

For Petitioner : M/s.A.Amala

For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed by the Correspondent of an aided Minority School challenging an order, wherein the appointment of B.T Assistant (English) Teacher was rejected.

2. A perusal of the impugned order, dated 08.09.2023 indicates that the fourth respondent had rejected the said request only on the ground that they are awaiting separate orders for approving the appointment from the second respondent.



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3. This Court is not in a position to accept the said reason for rejection of the request for approval of appointment. The order impugned in the writ petition is set aside. The matter is remitted back to the file of the fourth respondent. The fourth respondent is directed to consider the proposal, dated 12.02.2020 and if there are no surplus B.T Assistant (English) Teachers in the academic year 2018-2019 in the corporate Management, the second and third respondents are directed to approve the appointment of R.Thaines Viyagula Mary with effect from 01.08.2018. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. This writ petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

08.12.2023

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



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R.VIJAYAKUMAR, J.

BTR

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