



W.P(MD)No.30065 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2023

CORAM

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.30065 of 2023**

**and**

**W.M.P(MD)Nos.25935 of 2023**

J.Vargheese

... Petitioner

Vs.

1.The District Educational Officer (Elementary),  
Thenkasi District.

2.The Block Educational Officer,  
Alangulam,  
Thenkasi District.

3.The Correspondent,  
R.C Elementary School,  
Nettur,  
Thenkasi 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 pertaining to the order passed by the first respondent in his proceedings in A.Thi.Mu.No.521/A1/2022, dated 25.02.2022 and quash the same and consequently direct the respondents to approve the appointment of the



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petitioner as Secondary Grade Teacher with effect from 10.02.2020 with salary and all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam

For R-1 & R-2 : Mr.V.Om Prakash  
Government Advocate

### **ORDER**

With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition has been filed by a Secondary Grade Teacher challenging the order passed by the first respondent herein, wherein her approval for appointment has been rejected.

3. According to the learned Counsel appearing for the writ petitioner, the petitioner was appointed as a Secondary Grade Teacher in the third respondent School on 10.02.2020. When the Management has sent the proposal for approval, it has been rejected on the ground that Special Leave Petition is



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pending before the Hon'ble Supreme Court as against the orders of this Court in a batch of writ appeals in W.A(MD)Nos.76 of 2019 etc., dated 31.03.2021.

4. The pendency of the SLP before the Hon'ble Apex Court challenging the order of the Hon'ble Division Bench of this Court in a batch of writ appeals in W.A(MD)Nos.76 of 2019 has nothing to do with the approval of the appointment of the writ petitioner.

5. In view of the above said facts, the order impugned in the writ petition is set aside. The matter is remitted back to the file of the first and second respondents herein. The first and second respondents are directed to consider the proposal for approval and incase if they find that there are no surplus Secondary Grade Teachers in the Corporate Management in the academic year 2019-2020, they shall proceed to approve the appointment of the writ petitioner with effect from the date of appointment. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. 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.

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

To

- 1.The District Educational Officer (Elementary),  
Thenkasi District.
- 2.The Block Educational Officer,  
Alangulam,  
Thenkasi District.
- 3.The Correspondent,  
R.C Elementary School,  
Nettur,  
Thenkasi District.



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**R.VIJAYAKUMAR, J.**

BTR

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