



W.P(MD)No.30242 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30242 of 2023

and

W.M.P(MD)Nos.26053 & 26055 of 2023

The Correspondent,
St.Mary's Higher Secondary School,
Dindigul-624 001,
Dindigul 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,
Dindigul-624 001,
Dindigul District.

4.The District Educational Officer,
Dindigul-624 001,
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 order passed by the 4th



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respondent District Educational Officer in Na.Ka.No.6143/A3/2022, dated 04.11.2022 quash the same and further direct the 3rd and 4th respondents to approve forthwith the appointment of D.Karl Marx as B.T.Assistant (History) in the petitioner school w.e.f the date of his appointment viz., 11.11.2021 with all attendant benefits including arrears of salary.

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

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

ORDER

The present writ petition has been filed by an aided minority institution challenging the order passed by the educational authorities wherein the appointment of one D.Karl Marx as B.T Assistant (History) has not been approved on the ground that the appointment of one A.Devaraj as B.T Assistant (History) is yet to be approved.

2. In view of the orders passed by this Court in W.P(MD)No. 30244 of 2023, the order impugned in the writ petition is set aside and the matter is remitted back to the file of the 4th respondent herein. The school being an aided minority stand alone school, if the appointment is



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within the strength as per the staff fixation order, the 4th respondent is directed to approve the said appointment with effect from 11.11.2021 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.

3. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.12.2023

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

- 1.The Secretary,
The State of Tamil Nadu,
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,
Dindigul-624 001,
Dindigul District.
- 4.The District Educational Officer,



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Dindigul-624 001,
Dindigul District.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.30242 of 2023

Dated:
20.12.2023