



W.P.(MD).No.30135 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30135 of 2023

and

W.M.P(MD) Nos.25972 and 25973 of 2023

Sr.Arockia Jenita,
St. Justin's Girls Higher Secondary School,
Sivagangai – 630 561.

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Additional Chief Secretary,
Department of School Education,
Fort St.George, Chennai – 600 009.
2. The Director of School Education,
DPI Campus,
College Road, Chennai – 600 006.
3. The Chief Educational Officer, (Secondary)
The Office of the Chief Educational Officer,
Sivagangai.
4. The District Educational Officer (Secondary),
The Office of the District Educational Officer,
Sivagangai.



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5. The Correspondent,
St.Justin's Girls Higher Secondary School,
Sivagangai – 630 561.

... 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 impugned proceedings, dated 30.10.2023, in O.Mu.No.6578/AA3/2023, on the file of the fourth respondent and quash the same, in respect of the petitioner, directing the respondents to approve the appointment of the petitioner Sr.Arockia Jenita, working as B.T. Assistant (Maths) Teacher in St. Justin's Girls Higher Secondary School, Sivagangai, Sivagangai – 630 561, w.e.f 16.06.2023, and release salary, with all service benefits.

For Petitioner : Mr.S.Savarimuthu
for M/s.Pather Xavier Associates

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

ORDER

The present writ petition has been filed by a B.T.Assistant (Maths) Teacher challenging the order, wherein, her appointment was not approved by the authorities.



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2. A perusal of the impugned order indicates that the order has been passed on the basis that, so far, guidelines or direction has not been issued by the Director with regard to the approval of the B.T.Assistant Teachers. This Court is not inclined to accept the said reason assigned in the order impugned in the writ petition.

3. 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 fourth respondent. The fourth respondent is directed to verify whether there are any surplus B.T.Assistant (Maths) Teacher within the Corporate Management in the academic year 2023 – 2024. In case, if there are no surplus Teachers, the fourth respondent herein is directed to approve the appointment of the writ petitioner dated 16.06.2023 with all attendant benefits within a period of twelve weeks from the date of receipt of a copy of this order.



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4. With the above said observations, this Writ Petition stands allowed.

There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

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

1. The Additional Chief Secretary,
Department of School Education,
Fort St.George, Chennai – 600 009.
2. The Director of School Education,
DPI Campus,
College Road, Chennai – 600 006.
3. The Chief Educational Officer,
The Office of the Chief Educational Officer,
Sivagangai.
4. The District Educational Officer (Secondary),
The Office of the District Educational Officer,
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R.VIJAYAKUMAR,J.

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