



W.P(MD)No.30422 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30422 of 2023

The Correspondent,
Bishop Roche Higher Secondary School,
Idinthakarai-627 104,
Tirunelveli District.

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Additional Chief Secretary,
Department of School Education,
Fort St.George, Chennai-9.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai-6.
- 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Tirunelveli.
- 4.The District Educational Officer (Secondary),
The Office of the District Educational Officer,
Tirunelveli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 4th respondent to consider the proposal of the petitioner, dated 01.08.2022



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for approval to the appointment of Mrs.Sujatha and regularize the appointment of Mrs.Sujatha, working as B.T.Assistant (English) in Bishop Roche Higher Secondary School, Idinthakarai - 627 104, Tirunelveli District, w.e.f. 28.11.2018, and release salary with all service and monetary benefits.

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

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed by an aided minority institution seeking a Mandamus as against the authorities for approving the appointment of B.T Assistant (English) Teacher.

2. According to the learned counsel appearing for the writ petitioner, one Mrs.Sujatha was appointed as B.T Assistant (English) in the petitioner school on 28.11.2018. A proposal has been forwarded to the authorities on 01.08.2022 and the same is pending with the 4th respondent herein. Admittedly, the school is an aided minority institution falling within the corporate management.



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3. In view of the above said facts, the corporate management is directed to approach the 3rd respondent herein with all the particulars to establish that there are no surplus B.T Assistant (English) Teachers within the corporate management in the academic year 2018-19. In case if he satisfied that there are no surplus teachers, he shall issue a certificate to the said effect within a period of four (4) weeks from the date of receipt of the particulars from the corporate management. On receipt of such certificate, the 4th respondent is directed to approve the appointment of Mrs.Sujatha as B.T Assistant (English) with effect from 28.11.2018 with all attendant benefits within a period of twelve (12) weeks from the date of receipt of copy of this order.

4. With the above said observations, this Writ Petition stands disposed of. No costs.

20.12.2023

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

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The Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-9.
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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.30422 of 2023

Dated:
20.12.2023