



W.P.No.311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.311 of 2024

and

W.M.P.No.379 of 2024

P.V.Ramasamy

...Petitioner

-Vs-

- 1.State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The Chief Educational Officer,
Erode District,
Erode.
- 4.The District Educational Officer (Secondary),
Erode Education District,
Erode District.
- 5.The Headmaster,
Government Higher Secondary School,
Sakthi Nagar Post,
Bhavani Taluk,
Erode District – 638 315



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6.R.Arunachalam

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pass orders appointing the petitioner as Assistant Headmaster in the 5th respondent School with retrospective effect from the year 2017 onwards in consideration of student's strength in accordance with G.O.Ms.No.469, Education Department dated 25.03.1988, based on the representation submitted by the petitioner dated 21.11.2023 with all consequential and other attendant benefits.

For Petitioner : Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For R1 to R5 : Mr.S.Arumugam
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to pass orders to appoint the petitioner as Assistant Headmaster in the 5th respondent School with retrospective effect from the year 2017 onwards in consideration of student's strength in accordance with G.O.Ms.No.469, Education Department dated 25.03.1988, based on the representation submitted by the petitioner dated 21.11.2023 with all consequential and other attendant benefits.



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2. Heard the learned Senior Counsel for the petitioner and the learned Government Advocate for the respondents 1 to 5 and perused the materials available on record.

3. A perusal of the Government Order revealed that in all High and Higher Secondary schools with a strength of 75 and above, one more Assistant Headmaster would be nominated in the grade of Secondary Grade teachers and be paid a special pay of Rs.25/- per month. This one more Assistant Headmaster would be senior most among the Secondary Grade teachers only in that school and will assist the Headmaster in the work pertaining to standards 6 to 8.

4. The petitioner is working in the fifth respondent school. He was initially appointed as Secondary Grade Teacher in Elementary Education on 28.01.1999. The petitioner is qualified with B.Lit. (Tamil), M.A. (Tamil) and B.Ed. Now, the strength of the students in the fifth respondent school is more than 1000. Therefore, as per the Government Order, the petitioner is entitled to be appointed to the post of Assistant Headmaster in the work pertaining to standard 6 to 8.

5. In view of the above, the petitioner is directed to submit a fresh representation to the third and fourth respondent, within a period of two weeks



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from the date of receipt of a copy of this order. On receipt of the same, the third and fourth respondents are directed to consider the representation submitted by the petitioner, on merits and in accordance with law, in the light of the G.O.Ms.No.469, Education Department dated 25.03.1988, within a period of twelve weeks thereafter.

6. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

09.01.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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To

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G.K.ILANTHIRAIYAN. J.

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