



W.P.No.6991 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

CORAM:

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

W.P.No.6991 of 2022  
W.M.P.Nos.7022 & 7024 of 2022

J.Susima

... Petitioner

-Vs -

1. The Director of School Education,  
DPI Complex,  
College Road,  
Chennai – 6.
2. The Joint Director (HS),  
Directorate of School Education,  
DPI Complex,  
College Road,  
Chennai – 6.
3. The Chief Educational Officer,  
Collectorate Building,  
3<sup>rd</sup> Floor, B-Block,  
Vellore Arcot Road,  
Sathuvacheri  
Vellore District.
4. The District Education Officer,  
Fort Round Road,  
Vasanthapuram,  
Kosapet,  
Vellore District.



W.P.No.6991 of 2022

5. The Bishop in Vellore,  
Chairman,  
Administrative Committee &  
Manager of all Diocesan institutions,  
Old No.1/A, New No.3/1,  
Anna Salai, Vellore,  
Vellore District.

6. The Administrative Secretary &  
Convener Education Sub-Committee,  
CSI Diocese of Vellore,  
Old No.1/A, New No.3/1  
Anna Salai, Vellore,  
Vellore District.

7. T.John Nishanth,  
P.G.Assistant,  
Devalois Hr. Sec. School,  
Kasam, Katpadi Taluk,  
Vellore District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records in pursuant to the appointment order issued by the sixth respondent on 01.02.2022, appointing the 7<sup>th</sup> respondent as P.G. Assistant at Devalois Higher Secondary School, Kasam, Katpadi, and quash the same and with a consequential direction to the sixth respondent to consider the petitioner's candidature for the post of P.G. Assistant within a stipulated time.



WEB COPY



W.P.No.6991 of 2022

For Petitioner : Mr.M.Sathish Kumar

For Respondents

For R1 to R4 & R6 :Mrs.S.Mythreye Chandru  
Special Government Pleader

For R5 : Mr.D.Muthu Kumar  
For M/s. Paul and Paul

For R7 : Mr.C.Munusamy

### **ORDER**

The writ petition has been filed challenging the appointment of the seventh respondent in the sixth respondent School and to direct the sixth respondent to consider the petitioner's candidature for the post of P.G. Assistant within a stipulated time.

2. The case of the petitioner is that she is the member of Katpadi CSI Church of South India, Vellore Diocese. The petitioner was qualified with M.A., M.Ed (Tamil) and also completed her D.TED. She is also registered her qualification in the employment registration of CSI Vellore Diocese for the post of secondary grade teacher. However, without appointing the petitioner, sixth respondent appointed the seventh respondent, who is junior to the petitioner to the post of P.G. Assistant (English).



*W.P.No.6991 of 2022*

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On perusal of the entire affidavit, except these avernments, the petitioner did not even raise any irregularity on the part of the sixth respondent in the appointment of seventh respondent. She simply claims seniority over the seventh respondent. The petitioner may be the member of the church and therefore, she cannot compel the sixth respondent to appoint her in the teacher post. Admittedly, the sixth respondent is a minorities institution administering several schools in Vellore, Villupuram, Thiruvannamalai District. It is an aided school and the seventh respondent has been appointed in the sanctioned post. Because of the pendency of this writ petition, the sixth respondent so far have not sent any proposal for approval for his appointment.

5. That apart, the petitioner is qualifying with Tamil. Whereas the vacancy arose in the sixth respondent school is P.G. Assistant Post for English. Therefore, the petitioner is not qualified for the said post. This Court finds no infirmity or illegality in the order passed by the



W.P.No.6991 of 2022

second respondent and the writ petition is devoid of merits and liable to be dismissed. The sixth respondent is directed to submit fresh proposal for approval of the seventh respondent's appointment as P.G. Assistant in the sixth respondent school within a period of twelve weeks from the date of receipt of a copy of this Order. On receipt of the same, the respondents 1 to 4 are directed to consider the same and approve within a period of eight weeks thereafter.

6. With the above directions, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

27.02.2024

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

To  
1. The Director of School Education,  
DPI Complex, College Road,  
Chennai – 6.  
2. The Joint Director (HS),  
Directorate of School Education,  
DPI Complex, College Road,  
Chennai – 6.



W.P.No.6991 of 2022

**G.K.ILANTHIRAIYAN. J.**

rts

WEB COPY

3. The Chief Educational Officer,  
Collectorate Building,  
3<sup>rd</sup> Floor, B-Block,  
Vellore Arcot Road,  
Sathuvacheri,  
Vellore District.
4. The District Education Officer,  
Fort Round Road,  
Vesanthapuram,  
Kosapet,  
Vellore District.
5. The Bishop in Vellore,  
Chairman,  
Administrative Committee &  
Manager of all Diocesan institutions,  
Old No.1/A, New No.3/1,  
Anna Salai, Vellore,  
Vellore District.
6. The Administrative Secretary &  
Convener Education Sub-Committee,  
CSI Diocese of Vellore,  
Old No.1/A, New No.3/1  
Anna Salai, Vellore,  
Vellore District.
7. T.John Nishanth,  
P.G.Assistant,  
Devalois Hr. Sec. School,  
Kasam, Katpadi Taluk,  
Vellore District.

W.P.No.6991 of 2022 and  
W.M.P.Nos.7022 & 7024 of 2022

27.02.2024