



W.P.Nos.16902 & 16904 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.Nos.16902 & 16904 of 2024
and WMP Nos.18593 & 18597 2024

W.P.No.16902 of 2024

Thiru.K.Kuppusamy Memorial High School
Rep.by its Secretary Mr.K.Senthilkumaran
Chinnakangiyanur
Thiruvannamalai.

... Petitioner

-Vs-

1.The Director of School Education
College Road, Chennai-6.

2.The Chief Educational Officer
Thiruvannamalai District.

3.The District Educational Officer
Thiruvannamalai District.

4.Mr.R.Rajiv Gandhi
B.T.Assistant (English)
S.S.Aided High School
Adi Annamalai
Thiruvannamalai.

... Respondents

Prayer in W.P.No.16902 of 2024 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the entire records



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connected with the impugned order deployment passed by the 2nd respondent in Na.Ka.No.8364/B6/2023, dated 30.05.2024 and quash the same and consequently direct the 2nd respondent to approve the appointment of Mr.S.Senthil Kumar as B.T.Assistant (English) w.e.f. 01.11.2021, with all consequential monetary benefits, on the basis of the proposal of the school dated 01.11.2021.

W.P.No.16904 of 2024

Thiru.K.Kuppusamy Memorial High School
Rep.by its Secretary Mr.K.Senthilkumaran
Chinnakangiyanur
Thiruvannamalai.

... Petitioner

-Vs-

1.The Director of School Education
College Road, Chennai-6.

2.The Chief Educational Officer
Thiruvannamalai District.

3.The District Educational Officer
Thiruvannamalai District.

4.Mr.A.Soundararajan
B.T.Assistant (Maths)
Ramu Reddiyar High School
Karungalikuppam.

... Respondents

(Cause title amended vide order dt.13.08.2024
made in WMP No.20372 of 2024 in
W.P.No.16904/2024 by NAVJ)

Prayer in W.P.No.16904 of 2024 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the entire records connected with the impugned order deployment passed by the 2nd respondent in Na.Ka.No.8364/B6/2023, dated 30.05.2024 and quash the same and consequently



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direct the 2nd respondent to approve the appointment of Tmt.Mohana Thilagam, B.T. Assistant (Maths) w.e.f. 13.07.2022, with all consequential monetary benefits, on the basis of the proposal of the school dated 09.09.2022.

For Petitioner : Mr.S.N.Ravichandran
(Both WPs)

For Respondents : Mr.K.H.Ravikumar
(Both WPs) Government Advocate
for R1 to R3

No Appearance for R4

COMMON ORDER

These writ petitions have been filed challenging the proceedings of the 2nd respondent dated 30.05.2024 and for a consequential direction to the 2nd respondent to approve the appointment of Mr.S.Senthil Kumar as B.T. Assistant (English) with effect from 01.11.2021 and Tmt. Mohana Thilagam as B.T. Assistant (Maths) with effect from 13.07.2022, with all consequential benefits.

2.When these writ petitions came up for hearing on 27.06.2024, this Court on considering the facts of the case, came to a conclusion that the respondents ought not to have proceeded with the re-deployment without first dealing with the approval that was pending for the appointment of the respective teachers run by the petitioner School. Only if the approval is rejected, the posts can be treated as vacant and re-deployment can be done. Accordingly, this Court granted an order of interim stay.



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3.Pursuant to the above order, the order of re-deployment has now been withdrawn and what remains is the approval that has been sought for by the petitioner School with respect to the two teachers appointed which is pending.

4.The 2nd respondent has filed a counter affidavit in both the writ petitions. The 2nd respondent has taken a stand that after the vacancy arose for the post of B.T. Assistant (English) and B.T. Assistant (Tamil), the petitioner school has proceeded to appoint the teachers without getting prior permission from the Department.

5.Heard Mr.S.N.Ravichandran, learned counsel for the petitioner, Mr.K.H.Ravikumar, learned Government Advocate for R1 to R3. There is no appearance for R 4 either in person or through counsel.

6.In the considered view of this Court, as on date, the approval for the appointment of the teachers as B.T. Assistant (English) and B.T. Assistant (Maths) is pending before the 2nd respondent. Hence, it will suffice if a direction is given to the 2nd respondent to deal with the approval sought for by the petitioner School for the appointment made to the post of B.T. Assistant (English) and B.T. Assistant (Maths) and convey the decision to the petitioner School, within a period of four weeks from the date of receipt of copy of the order.



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7.Both the writ petitions are disposed of with the above directions. No costs.

Consequently, connected miscellaneous petitions are closed.

19.08.2024

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KP

Internet: Yes

Index: Yes/No

To

1.The Director of School Education
College Road, Chennai-6.

2.The Chief Educational Officer
Thiruvannamalai District.

3.The District Educational Officer
Thiruvannamalai District.



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N.ANAND VENKATESH. J.,

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