



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26031 of 2024

B.A.Balaji

... Petitioner

Vs.

1. The Director of School Education,
DPI campus, College Road,
Chennai 600 006
2. The Chief Educational Officer,
Chennai District,
Presidency Girls Higher Secondary School Campus,
Egmore, Chennai 600 008
3. The District Educational Officer (Secondary),
Chennai South, Saidapet, Chennai 600 015.
4. The Correspondent,
Kesari Higher Secondary School
8, Sir Thegaraya Road,
T.Nagar, Chennai 600 017

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 2 and 3 to pass



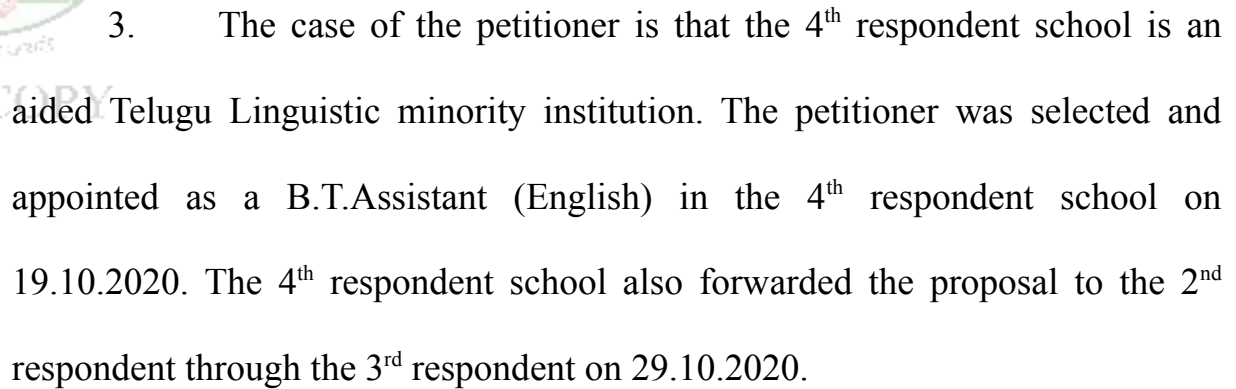
orders for granting approval of appointment of the petitioner in the sanctioned post of B.T Assistant (English) in the 4th respondent school with effect from 19.10.2020, in consideration of the proposal re-submitted by the 4th respondent school dated 24.02.2023 without insisting TET qualification in accordance with the clarificatory order passed by this Honourable Court in W.A. No.313 of 2022 etc cases dated 14.06.2023 with all consequential and attendant benefits including the arrears of salary from the date of appointment, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan
For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 2 and 3 to pass orders by granting approval of the appointment of the petitioner in the post of B.T.Assistant (English) in the 4th respondent school with effect from 19.10.2020 with all consequential and attendant benefits.

2. Heard Mr.S.Nedunchezhiyan, learned counsel for petitioner and Mr.S.Prabhakaran, learned Government Advocate for respondents.



4. The further case of the petitioner is that the 3rd respondent through proceedings dated 22.04.2021 rejected the proposal seeking for approval of appointment on the ground that the necessary document for passing TET examination was not enclosed. That apart, many other reasons were also assigned.

5. The specific case of the petitioner is that the 4th respondent school being an aided minority school, the mandate of completing TET examination will not apply in line with the clarificatory order issued by this Court dated 14.06.2023 in WA No.313 of 2022. In the light of this clarification issued, the 4th respondent school resubmitted the proposal to the 2nd respondent through proper channel.



6. The grievance of the petitioner is that the respondents 2 and 3 did not act upon the same and hence, the petitioner was forced to approach this Court.

7. Taking into consideration the facts and circumstances of the case and also the grounds that have been raised by the writ petitioner and considering the clarificatory order passed by this Court in the Writ appeal, there shall be a direction to the respondents 2 and 3 to act upon the proposal that has been forwarded by the 4th respondent school and pass necessary orders within a period of six weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above directions. No costs.

06.09.2024

Index : Yes/No
Internet : Yes /No
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

rka

To



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