



WA No.3040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

CORAM :

The Hon'ble Mr.JUSTICE D.KRISHNAKUMAR

AND

The Hon'ble Mr.JUSTICE P.B.BALAJI

W.A.No.3040 of 2024

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 006.

2.The District Educational Officer,
Ranipet, Ranipet District.

3.Block Educational Officer,
Arcot Block Mupuduvetti,
Ranipet District.

... Appellants

versus

KhaireJaree Aided Middle School,
represented by its Correspondent,
M.Abdul Jameel, No.493, (New) Old No.167,
Anna Road,
Melvisharam 632 509

... Respondent



WA No.3040 of 2024

PRAYER: Writ Appeal filed against the order of the learned Single Judge

in W.P.No.10163 of 2022 dated 29.01.2024.

For Appellants	: Mr.U.M.Ravichandran Special Government Pleader
For Respondents	: Mrs.Dakshyani Reddy Senior Counsel

JUDGMENT

(Delivered by **D.KRISHNAKUMAR, J.**)

The Writ Appeal is filed against the order of the learned Single Judge in W.P.No.10163 of 2022 dated 29.01.2024.

2. Learned Special Government Pleader appearing for the appellants submitted that the writ court has not considered the submissions made by the Department and allowed the writ petition and granted relief to the respondent herein. He further submits that the department has raised several grounds in the writ appeal.



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3. Learned Senior Counsel for the respondent submits that in a similar matter in the case of ***the Director of Elementary Education, College Road, Chennai & Others vs. J.Prema Anitha, Secondary Grade Assistant, Danish Mission Elementary School, Cuddalore & Another*** reported in ***CDJ 2024 MHC 5454***, a Division Bench of this Court has held as follows:

"7. Here in this case, the first respondent was appointment as B.T.Assistant, vide order dated 18.01.2019 and she joined duty on 21.01.2019. The proposal for approval of her appointment was forwarded to the appellants on 21.01.2019, viz, prior to the issuance of G.O.Ms.No.165, dated 17.09.2019. At this juncture, it is to be noted that, earlier, this Court, vide order made in W.P.No.1251 of 2020, dated 16.06.2022; and W.P.No.727 of 2023, dated 05.07.2023, has directed the appellants to consider and pass an order of approval of the appointment of first respondent made by the school management, however the proposals were rejected. As such, considering the facts and circumstances of the case and also in the light of the above judgment passed by a Division Bench of this Court, the appellants therein are directed to consider and pass an order of approval of the appointment made by the School Management, provided the said proposals satisfy the norms prescribed for such appointment and as per the



Rules, as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this judgment, bearing in mind the aforesaid judgment."

4. In the light of the judgment of Division Bench cited supra, this Court is inclined to pass orders as follows:

i) The impugned orders in Aa.Thi.Mu 118/A3/2022 dated 07.02.2022, in Aa.Thi.Mu 119/A3/2022 dated 07.02.2022, in Aa.Thi.Mu.120/A3/2022 dated 07.02.2022 and in Aa.Thi.Mu.117/A3/2022 dated 07.02.2022 are set aside.

ii) The appellant department is directed to consider and pass orders on the proposal for approval of the appointment of persons, namely, C.S.Nazeer Ahmed, Y.Kouser Siddiqua, Mohammed Nazrullah and Abdullah Basha, made by the School Management/respondent herein provided the said proposals satisfy the norms prescribed for such appointment and as per the Rules, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this judgment, bearing in mind the aforesaid judgment.



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5. With the above directions, the writ appeal stands disposed of.

There shall be no order as to costs. Consequently, CM.P.No.22811 of 2024 is closed.

(D.K.K., J.) (P.B.B., J.)
17.10.2024

Index : Yes/No
NC : Yes/No
MRN



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(MRN)

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