



W.A.No.2960 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.A.No.2960 of 2024
and
C.M.P.Nos.22076 & 22077 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

Vs.

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

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 29.01.2024 made in W.P.No.10173 of 2022.



W.A.No.2960 of 2024

For Appellant : Mrs. Yamuna Devi
Special Govt. Pleader
For Respondents : Ms. S.Suneetha

J U D G M E N T

*(Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**)*

This Writ Appeal is filed against the order of the learned Single Judge in W.P. No.10173 of 2022, dated 29.01.2024.

2. The 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. She further submits that the Department has raised several grounds in the Writ Appeal.

3. Learned counsel appearing 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*



W.A.No.2960 of 2024

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,



W.A.No.2960 of 2024

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. The learned Special Government Pleader appearing for the appellants Department also did not dispute the said submission made by the learned counsel for the respondent and in the light of the judgment of Division Bench cited supra, this Court is inclined to pass orders as follows:

i) The impugned order in Aa.Thi.Mu 117/A3/2022 dated 07.02.2022 is set aside.

ii) The appellants Department is directed to consider and pass orders on the proposal for approval of the appointment of person, namely, Abdullah Basha made by the School Management/respondent herein provided the said proposal 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



W.A.No.2960 of 2024

judgment, bearing in mind the aforesaid judgment.

WEB COPY

5. With the above directions, this Writ Appeal stand disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(D.K.K., J.) (P.B.B, J.)
19.10.2024

dsa
Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
Speaking order / Non-Speaking order

To:-

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.



WEB COPY



W.A.No.2960 of 2024

D.KRISHNAKUMAR, J.
and
P.B.BALAJI, J.

dsa

W.A.No.2960 of 2024

19.10.2024