



W.A. Nos.2968 & 2978 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 18.10.2024**

**CORAM:**

**THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR**

**and**

**THE HON'BLE MR.JUSTICE P.B.BALAJI**

**W.A.Nos.2968 & 2978 of 2024**

**and**

**CMP. Nos.22246, 22245, 22388 & 22391 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/respondents  
in both W.As

**Vs**

KhaireJaree Aided Middle School,  
represented by its Correspondent,  
M.Abdul Jameel.

..Respondent/writ petitioner



W.A. Nos.2968 & 2978 of 2024

in both W.As

**Common Prayer:** Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 29.01.2024 made in W.P. Nos.10168 & 10171 of 2022 and allow the Writ Appeal.

(in both Writ Appeals)

For Appellant : Mr.P.S.Raman,  
Advocate General assisted by  
for Mr.UM.Ravichandran,  
Special Government Pleader

For Respondent : Mrs.Dakshyani Reddy,  
Senior Counsel for  
Ms.Pavithra

### **COMMON J U D G M E N T**

**(Judgment of the Court was made by MR.JUSTICE D.KRISHNAKUMAR)**

These Writ Appeals are filed against the order of the learned Single Judge in W.P. Nos.10168 & 10171 of 2022, dated 29.01.2024.

2. The learned Advocate General assisted by the leaned Special Government Pleader appearing for the appellants submitted that the Writ Court has not considered the submissions made by the Department and



W.A. Nos.2968 & 2978 of 2024

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.

3. Learned Senior 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 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. The learned counsel appearing for the appellant 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 orders in Aa.Thi.Mu 119/A3/2022 dated 07.02.2022 and in Aa.Thi.Mu.120/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, Y.Kouser Siddiqua and Mohammed Nazrullah, 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.



W.A. Nos.2968 & 2978 of 2024

**WEB COPY** 5. With the above directions, these Writ Appeals stand disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are also closed.

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

**18.10.2024**

Internet: Yes/No

Index : Yes/No

Speaking Order/Non Speaking Order  
rkp



WEB COPY



W.A. Nos.2968 & 2978 of 2024

**D. KRISHNAKUMAR. J.,**

and

**P.B.BALAJI, J.**

rkp

**W.A.Nos.2968 & 2978 of 2024**

**and**

**CMP. Nos.22246, 22245, 22388 & 22391 of 2024**

**18.10.2024**