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W.P.Nos.34338 and 31546 of 2023
and
W.M.P.Nos.34235, 31179 and 31180 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.34338 and 31546 of 2023
and
W.M.P.Nos.34235, 31179 and 31180 of 2023

K.M.Gurusamy Pillai Government Aided Middle School
Rep.by its Managing Trustee/Secretary Mr.G.Vaidyanathan
Thirukottaram,
Nannilam Taluk,
Thiruvarur District – 609 603.

... Petitioner
in W.P.No.34338 of 2023

K.M.Gurusamy Pillai Government Aided Middle School
Rep.by its Secretary Mr.R.Sagayanathan
Thirukottaram,
Nannilam Taluk,
Thiruvarur District .

... Petitioner
in W.P.No.31546 of 2023

Versus

1. The District Educational Officer (Elementary)
Thiruvarur, Thiruvarur District.

2. The Block Educational Officer – II,
Nannilam, Thiruvarur District.

.... Respondents 1 and 2
(in both W.Ps)



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3. R.Sagayanathan

... 3rd Respondent
(in W.P.No.34338 of 2023)

Prayer in W.P.No.34338 of 2023:

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records of the 1st respondent pertaining to the proceedings in Na.Ka.No.2002/AA4/2023 dated 06.07.2023 and quash the same and consequently direct the 1st respondent to provide approval for the newly formed management committee based on the petitioner's representation dated 15.06.2023.

Prayer in W.P.No.31546 of 2023:

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the entire records relating to the order dated 06.07.2023 made in Na.Ka.No.2002/AA4/2023 on the file of the first respondent herein and quash the same and consequently direct the 1st respondent to release the staff grant and maintenance grant to the Management of the petitioner School.

For Petitioners : Mr.P.Valliappan
Senior Counsel for
M/s.PV Law Associates
(in W.P.No.34338 of 2023)

Mr.C.Munusamy



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(in W.P.No.31546 of 2023)

For Respondents : Mr.U.Baranidharan
Additional Government Pleader
for R1 and R2
(in both W.Ps.)

Mr.C.Munusamy for R3
(in W.P.No.34338 of 2023)

COMMON ORDER

The issue arises in these writ petitions are one and the same. Since both the petitioners are claiming as Secretary of K.M.Gurusamy Pillai Government Aided Middle School, the first respondent passed an impugned order and directed the second respondent herein to pay grant in-aid salary, benefits to the staff of the petitioners-School directly from the Government instead of paying the same through the Management Committee of the petitioners-school. Challenging the same, the present writ petitions are filed.

2. Learned Senior counsel appearing for the petitioner in W.P.No.34338 of 2023 submitted that this Court may issue a direction to



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petitioners herein to appear before the Joint Director, Aided Schools (Elementary) DPI Campus, Chennai – 600 006 for approval of the new School Committee and resolve the dispute between the parties. He further submitted that if the dispute is resolved between the parties, the Joint Director may issue a direction to the first respondent to re-consider the direct payment.

3. Heard the learned counsel on either side and perused the materials available on record.

4. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioners, this Court is of the view that, without going into the merits of the impugned order of the first respondent, the dispute with regard to appointment of School Committee has to be decided only by the Joint Director, Aided Schools (Elementary) DPI Campus, Chennai – 600 006. Therefore, the petitioners herein are directed to appear before the Joint Director, Aided Schools (Elementary) DPI Campus, Chennai – 600 006 within a period of two weeks from the date of receipt of a copy



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of this order. The Joint Director is directed to pass appropriate orders on merits and in accordance with law and decide the School Committee, including Secretary post, after giving notice to all the interested parties, including the petitioners herein, within a period of four weeks thereafter. On the date fixed by the Joint Director, the petitioners are directed to appear before him without fail. If any School Committee is constituted and the Secretary is appointed, the first respondent is directed to reconsider the direct payment.

5. With the above directions, these writ petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.09.2024

Note 1 : The Registry is directed to mark a copy to the Joint Director, Aided Schools (Elementary) DPI Campus, Chennai – 600 006.

Note 2 : Issue Order Copy on 23.09.2024

Index: Yes/No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The District Educational Officer (Elementary)
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Thiruvarur District.

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Thiruvarur District.



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M.DHANDAPANI, J.

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