



W.P.No. 39518 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.12.2024

Coram:

THE HONOURABLE Mrs.V.BHAVANI SUBBAROYAN

W.P.No. 39518 of 2024 &
W.M.P.No.42974 of 2024

Thiruvalluvar Higher Secondary School,
Gudiyatham – 632 602
Vellore District
rep. By its Secretary,
K.M.G.Sundaravadanam

...Petitioner

Vs.

1. State of Tamil Nadu
rep. By its Principal Secretary to Government,
School Education Department
Fort St. George, Secretariat,
Chennai – 600 009
2. The Chief Educational Officer,
Vellore District,
Vellore
3. The District Educational Officer
(Secondary)
Vellore District

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned staff fixation orders for the year 2022-23 in Na.Ka.No.4686/Aa3/2022 dated 26.12.2022, subsequent staff fixation order for the year 2023-24 in



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Na.Ka.No.3358/Aa3/2023 dated 15.11.2023 and the subsequent staff fixation order for the year 2024-25 in Na.Ka.No.2953/Aa3/2024 dated 26.11.2024 issued by the 2nd respondent to the petitioner-School and to quash the same in so far as non consideration of four english medium sections in each standard from Std., 6 to 10 and reduction of staff strength is concerned and consequently directing the respondents to revise the staff fixation order to the petitioner school for the years 2022-23; 2023-24; and 2024-25 and to restore the teaching posts already sanctioned to the petitioner school in consideration four english medium sections in each standard from std. 6 to 10 as permitted by the department, within a time frame.

For Petitioner	: Mr.S.Nedunchezhiyan
For Respondents	: Mrs.P.Rajarajeswari Government Advocate

ORDER

With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.

2. The brief facts of the case, as averred by the Petitioner-School are as follows:-

(i) The petitioner-School was established in the year 1952 as Elementary School and upgraded as High School in the year 1960 with Std.6 to 11 and further upgraded as Higher Secondary School in the year 1978 with XI and XII duly approved by the Department. The petitioner-School was sanctioned with



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teaching post for secondary sections as well as higher secondary sections. As far as Secondary Sections are concerned, the petitioner-School has been sanctioned with 59 teaching posts, B.T.Assistant – 46 Posts, Secondary grade Assistants-2 posts, secondary grade assistants – 2 posts and tamil pandits – 11 apart from special teachers sanctioned to the school. The 2nd respondent issued orders dated 23.11.2021 sanctioning three additional english sections for 6th std., apart from one section already granted in favour of the petitioner school, as per the conditions stated therein.

(ii) In the year 2021-22 and 2022-23, three additional english medium sections have been sanctioned to the petitioner school for the std.6 to 10 vide proceedings dated 23.11.2021 and 30.08.2022 respectively. The 3rd respondent issued staff fixation order for the petitioner-school for the academic year 2022-23, wherein two english medium sections alone were taken into consideration instead of 4 sections for std., 6th to 10th. While so, the 2nd respondent issued staff fixation order for the year 2023-24 vide proceedings dated 15.11.2023, as per which 50 posts have been sanctioned to the petitioner whereas 9 posts were declared surplus in the previous year's staff fixation order have not been shown in the staff fixation order for the year 2023-24. Aggrieved against the staff fixation orders issued by the 2nd respondent for the academic years 2022-23, 2023-24 as well as



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for the academic year 2024-2025, the petitioner has come up with the present petition.

3. The learned Government Advocate appearing for the respondents, on instructions, would submit that already the remedy has been granted to the petitioner-school and the petitioner may be directed to submit objections within a period of one week and the same will be considered by the authorities in accordance with law.

4. In reply, the learned counsel appearing for the petitioner would submit that already the petitioner has submitted objection by way of representation during the 9th month, however, the same has not been considered.

5. Considering the facts and circumstances of the case and taking note of the fact that the petitioner has submitted representation / objection during the month of September, 2024 and that it is the contention on behalf of the respondents that they have not received the said objection, this Court, hereby directs the petitioner-school to approach the authorities / respondents by way of objections / representation within a period of one week from the date of receipt of copy of a order and on receipt of such representation / objection, the authorities are directed to pass appropriate orders on merits and in accordance with law by



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considering the said objection within a period of one week from the date of receipt of the said representation / objection.

With the above said observation, the Writ Petition is disposed of.

Consequently, connected miscellaneous petition is closed. No costs.

21.12.2024

Index : Yes / No;
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

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2. The Chief Educational Officer,
Vellore District,
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V.BHAVANI SUBBAROYAN, J.

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