



W.P.(MD).No.2138 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.2138 of 2024

and

W.M.P.(MD)Nos. 2134, 2135 and 4786 of 2024

S.Jenita

... Petitioner

Vs.

1.The Director of School Education,
College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

3.The District Educational Officer,
(Elementary Education),
Valliyoor,
Tirunelveli District.

4.The Block Educational Officer,
Kalakadu, Tirunelveli District.

5.The Correspondent,
CMS Evangelical Middle School,
Melapathai,
Kalakad,
Tirunelveli District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent District Educational Officer in O.Mu. No.2248/Aa1 (Aa2)/2022 dated 20.01.2023, quash the same and further direct the third respondent DEO to approve forthwith the appointment of petitioner as Secondary Grade Teacher in the fifth respondent CMS Evangelical Middle School, Melapathai, w.e.f., the date of her appointment viz., 08.11.2021, with all attendant benefits including arrears of salary.

For Petitioner : Mr.K.Ragatheesh Kumar
For M/s.Isaac Chambers

For R-1 to R-4 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.K.Ragatheesh Kumar, for M/s.Isaac Chambers, learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader for the respondents 1 to 4.

2. This Writ Petition has been filed seeking to quash the order of the third respondent dated 20.01.2023 and further direct the third respondent DEO to approve forthwith the appointment of petitioner as



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Secondary Grade Teacher in the fifth respondent CMS Evangelical Middle School, Melapathai, w.e.f., the date of her appointment viz., 08.11.2021, with all attendant benefits including arrears of salary.

3. Mr.K.Ragatheesh Kumar, learned counsel for the petitioner submitted that the impugned order of the third respondent dated 20.01.2023 is just a return endorsement addressed to the Block Development Officer in order to get the proposal represented with the certain documents listed in the impugned order. The learned counsel for the petitioner submitted that the fifth respondent School is a Minority Institution for which TET qualification is not necessary. But, in the impugned order, one of the requirement has been stated as the production of TET eligibility of the appointee. But all these informations should be furnished by the School Committee which is responsible for the administration for appointment and all other affairs of the School. In fact, the order dated 20.01.2023 was not communicated to the petitioner and the petitioner has managed to get a copy of the order and she herself has started to give a reply to the return endorsement made by the third respondent. When an official communication has been made from one



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authority to another authority, it is for the authority concerned to give the clarification or furnish the additional details and individual has got no role to play.

4. If the petitioner is aggrieved, in case, she presumes that there is inaction on part of the School Committee which appointed her, the best thing she can do is to make a representation to the School Committee to take the matter forward by attaching the required documents by giving appropriate explanation and re-submit the proposal to the District Educational Officer for processing the proposal further and pass orders.

5. With the above observations, this Writ Petition is **disposed of**.
No costs. Consequently, connected miscellaneous petitions are closed.

20.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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