



W.P.(MD).No.7850 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7850 of 2024

and

W.M.P.(MD)No.7140 of 2024

The Correspondent,
St. John's Girls Higher Secondary School,
Kodaikanal-624 101,
Dindigul District.

...Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 009.
- 3.The Chief Educational Officer,
Dindigul, Dindigul District.
- 4.The District Educational Officer,
Vathalakundu, Dindigul District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd and 4th respondents to approve forthwith the appointment of Tmt.P.K.Rosemary Julidiana as Music Teacher in the petitioner School and disburse the grant-in-aid towards her salary and allowances with effect from the date of appointment i.e., 01.12.2023.

For Petitioner : Mr.K.Ragatheesh Kumar,
For Issac Chambers

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed seeking direction to the 3rd and 4th respondents to approve forthwith the appointment of Tmt.P.K.Rosemary Julidiana as Music Teacher in the petitioner School and disburse the grant-in-aid towards her salary and allowances with effect from the date of appointment i.e., 01.12.2023.



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3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner School is a recognized and aided Minority Educational Institution. One post of Music Teacher in the petitioner School fell vacant on 01.06.2023 due to the retirement of the then incumbent Tmt. P.Stella on 31.05.2023. In the said sanctioned vacancy, Tmt.P.K.Rosemary Julidiana was appointed as Music Teacher on 01.12.2023 and she joined duty on the same day itself. Thereafter, the petitioner School had sent a proposal to approve the appointment of the said Music Teacher and disburse grant-in-aid towards her salary to the 3rd respondent CEO through proper channel on 05.01.2024. Since the same was not considered by the respondents, the present writ petition came to be filed.

4. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.



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5. Considering the limited scope of relief sought for by the petitioner herein, this Court hereby direct the petitioner School Management namely St.John's Girls Higher Secondary School, Kodaikanal to submit a report that there is no surplus beyond the post of Music Teacher to the 3rd respondent CEO. On receipt of the same, 3rd respondent is directed to approve the appointment of the said Music Teacher, if there is no surplus available in the Corporate Management within a period of eight (8) weeks therefrom.

6. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai-600 009.



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- 2.The Director of School Education,
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L.VICTORIA GOWRI, J.

Sml

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