



WP(MD) No.8292 & 8293 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)Nos.8292 & 8293 of 2024

and

WMP(MD)Nos.7485 & 7493 of 2024

Town Higher Secondary School,
Rep. by its Secretary
Mr.PR.P.Velappan

.. Petitioner
in both cases

Vs.

1.The Joint Director (Secondary Education),
O/o. Director of School Education,
Tamil Nadu School Education Department,
College Road, Nungambakkam,
Chennai- 600 006.

2.The Chief Educational Officer,
O/o. Chief Educational Office,
Thanjavur District, Thanjavur.

3.The District Educational Officer,
O/o. District Educational Office,
Kumbakonam,
Thanjavur District.

.. Respondents
in both cases



WP(MD) No.8292 & 8293 of 2024

WEB COPY

4. The Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.

.. Respondent No.4

[R4 Suo Motu Impleaded by this Court vide order dated 02.04.2024 in these writ petitions]

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records in relating to the Impugned Order made in O.Mu.No.3827/Aa5/2020 and O.Mu.No.3828/Aa5/2020 dated 29.09.2020 passed by the 2nd respondent and the impugned order in Mu.Mu.No.000700/D1/E4/2022 dated 14.03.2023 and Mu.Mu.No.048455/D1/E4/2020 dated 24.05.2023 passed by the 1st respondent and quash the same and consequently direct the 2nd respondent to approve the promotion of Thiru. S.Kumaravel to the post of BT Assistant (Tamil) and Tmt.S.Ambika to the post of BT Assistant (Science) respectively at the petitioner School with effect from 07.01.2020.

In both cases:

For Petitioner : Mr.T.Antony Arulaj

For Respondents : Mr.T.Amjadkhan
Government Advocate



WP(MD) No.8292 & 8293 of 2024

WEB COPY

COMMON ORDER

The petitioners have filed this writ petitions seeking for issuance of Writ of Certiorarified Mandamus, to quash the impugned orders dated 29.09.2020 passed by the 2nd respondent and the impugned orders passed by the 1st respondent dated 14.03.2023 and 24.05.2023 respectively and consequently direct the 2nd respondent to approve the promotion of Thiru. S.Kumaravel to the post of BT Assistant (Tamil) and Tmt.S.Ambika to the post of BT Assistant (Science) respectively at the petitioner School with effect from 07.01.2020.

2. Heard Mr.T.Antony Arulaj, learned counsel appearing for the petitioners and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents.

3. By consent of both parties, these writ petitions are taken up for final hearing at the admission stage itself.

4. The approval was rejected by the first respondent by order dated



WP(MD) No.8292 & 8293 of 2024

WEB COPY

29.09.2020, on the ground that the petitioners have to acquire Teacher Eligibility Test which is the eligible qualification and the petitioners do not have the said qualification.

5. Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents submitted that the petitioners had challenged the said order by preferring an appeal to the Government and the same is pending and the Government has not also been impleaded as a party to the proceedings. Pending appeal, these writ petitions have been filed.

6. In view of the same, these writ petitions are **disposed of** with a direction to the Government to dispose the appeal in accordance with law and on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

7. This Court *suo motu* impleaded the Principal Secretary, Department of School Education, Fort St.George, Chennai-600 009 as a party to these writ



WP(MD) No.8292 & 8293 of 2024

WEB COPY

petitions. Registry is directed to carry out necessary amendment in the cause title and mark a copy to the fourth respondent also.

02.04.2024

Index : Yes / No

Internet : Yes / No

PJL

To

1.The Joint Director (Secondary Education),
O/o. Director of School Education,
Tamil Nadu School Education Department,
College Road, Nungambakkam,
Chennai- 600 006.

2.The Chief Educational Officer,
O/o. Chief Educational Office,
Thanjavur District, Thanjavur.

3.The District Educational Officer,
O/o. District Educational Office,
Kumbakonam,
Thanjavur District.

4. The Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.

5/6



WEB COPY



WP(MD) No.8292 & 8293 of 2024

R.N.MANJULA, J.

PJL

W.P.(MD)Nos.8292 & 8293 of 2024

02.04.2024