



WP(MD) No.8188 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 04.03.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P(MD)No.8188 of 2020**

Punitha Paul Higher Secondary School,  
Rep. by its Correspondent,  
Selvaraj.

... Petitioner

**Vs.**

- 1.The Secretary to the Government,  
Department of School Education,  
St. George Fort, Chennai.
- 2.The Director of School Education,  
Dpi Compound, College Road,  
Chennai.
- 3.The Chief Educational Officer,  
Tirunelveli, Tirunelveli District.
- 4.The District Educational Officer,  
Cheranmahadevi, Tirunelveli District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 4<sup>th</sup> Respondent in



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Na.Ka.No.1372/A4/2019 dated 24.07.2019 and quash the same and consequently direct the 3<sup>rd</sup> and 4<sup>th</sup> respondent to approve the appointment of the Sahaya Delwinraj as B.T.Assistant (Maths) in the petitioner school from the date of appointment i.e., 19.03.2019 and confer all the consequential benefits.

For Petitioner : Mr.S.Chellapandian

For Respondents : Mr.V.Om.Prakash,  
Govt. Advocate.

### **ORDER**

This Writ Petition is filed challenging the proceedings in Na.Ka.No. 1372/A4/2019 dated 24.07.2019 whereby the respondent No.4 refused to grant approval for the appointment of one Sahaya Delwinraj as B.T.Assistant (Maths) in the petitioner school on the ground that there is no sanctioned post of BT Assistant (Maths) available for the petitioner school for granting approval.

2. There is no dispute that there is no sanctioned post of BT Assistant (Maths) in the petitioner school, in which the said Sahaya Delwinraj can be



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appointed and claiming an aid from the Government. If the said post in which the said Sahaya Delwinraj was appointed is an unaided post, the question of seeking approval from the respondent No.4 does not arise. However, for the reasons best known, the petitioner school has sought approval for appointment of the said Sahaya Delwinraj and the same is rightly rejected by the respondent No.4 on the ground that there is no such sanctioned post. Hence, this Court does not find any error or illegality in the impugned order passed by the respondent No.4.

**3.** However, it is contended by the learned counsel for the petitioner that there is every need for sanctioning of additional post in the petitioner school considering the student strength and therefore, the petitioner management is intending to approach the respondents seeking for sanction of additional post. If that be so, it is open for the petitioner to submit appropriate representation before the concerned respondents seeking sanction of the additional post. If any such representation is submitted, the same shall be considered by the respondents strictly in accordance with law.



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4. Subject to the above observations, this Writ petition is disposed of.

There shall be no order as to costs.

**04.03.2024**

NCC : Yes/No

Index : Yes/No

vsm



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**MUMMINENI SUDHEER KUMAR, J.**

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