



W.P(MD)No.11720 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11720 of 2024

and

W.M.P(MD)No.10462 of 2024

Native Higher Secondary School(Government Aided),
Rep. by its Secretary,
Kumbakonam,
Thanjavur District – 612 001.

... Petitioner

vs.

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

2.The District Educational Officer(Secondary Grade),
O/o.District Educational Office,
Kumbakonam,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned order made in Na.Ka.No.9589/A3/2023 dated 30.05.2024 issued by the first respondent and consequential order in Na.Ka.No.2822/A4/2024 dated 31.05.2024 issued by the second respondent and quash the same.



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For Petitioner : Mr.T.Antony Arulraj
For Respondents : Mr.M.Siddharthan,
Additional Government Pleader

ORDER

Mr.M.Siddharthan, learned Additional Government Pleader takes notice for the respondents.

2. The petitioner is the aided non-minority school and it has been sanctioned with one Post of P.G.Assistant Tamil and One B.T.Assistant Tamil, for the academic year 2022-2023 and now, out of the same, one B.T.Assistant Tamil was declared as surplus. However, as on today one B.T. Assistant by name Thiru.R.Venkataramanan, had been promoted to the Post of P.G. Assistant and one B.T. Assistant Tamil is working in the petitioner's school. According to the petitioner, the proposal sent to approve the promotion of Thiru.R.Venkataraman to the post of P.G. Assistant has been rejected. Hence, the petitioner school filed a writ petition in W.P(MD)No.6770 of 2024 and the same is pending.



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3. The learned counsel for the petitioner submitted that if one B.T. Assistant is deployed to some other school, there will be no B.T. Assistant Tamil in the petitioner's school and hence, the impugned order of deployment is liable to be set aside.

4. The learned Additional Government Pleader submitted that the deployment order has been issued only in accordance with the sanctioned strength and therefore, the impugned order of deployment does not warrant interference.

5. Even the petitioner did not contend that out of two posts, one post of B.T.Assistant Tamil is surplus. However, according to the petitioner, one of the B.T. Assistants got promoted to the post of P.G. Assistant Tamil which fell vacant and hence, as on today, there is only one B.T. Assistant Tamil is available to the petitioner school. Even though approval for promotion to one Thiru.R.Venkataramanan to the post of P.G. Assistant Tamil is pending, the fact remains that he is not working in the post of B.T. Assistant Tamil. The validity of his



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promotion only is under challenge. However, he is working as a P.G. Assistant in pursuant to his promotion as on today. If the one B.T. Assistant who is working in the petitioner school is taken away by deployment, the petitioner school cannot have any B.T. Assistant Tamil. So in all probabilities and practicalities, the order of deployment has to be set aside and the respondents shall pass any further orders afresh depending on the outcome of the W.P(MD)No.6770 of 2024.

6. With the above observations, this writ petition is disposed of.

No Costs. Consequently, connected Miscellaneous Petition is closed.

05.06.2024

NCC: Yes/No

Index : Yes/No

PM

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R.N.MANJULA, J.

PM

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