



W.A(MD)No.1524 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1524 of 2024
and
CMP(MD)No.11848 of 2024**

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

2. The Director of School Education,
College Road, Chennai - 600 006.

3. The Chief Educational Officer,
The Office of the Chief Educational Officer,
S.L.B. South Road, Nagercoil,
Kanyakumari District-629 001.

4. The District Educational Officer,
The Office of the DEO,
S.L.B. South Road, Nagercoil,
Kanyakumari District-629 001.

... Appellants

vs.

1. S Preghi

2. The Correspondent,
Little Flower Girls Higher Secondary School,
Ramanputhur, Nagercoil-629 004,
Kanyakumari District.

... Respondents



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Prayer : Appeal filed under Clause 15 of the Letters Patent, against the order dated 29.11.2023 in W.P(MD)No.9430 of 2023.

For Appellants : Mr.S.P.Maharajan
Special Government Pleader
For R1 : Ms.S.Amala Irudhaya Mary

JUDGMENT

(Judgement of the Court was made by **R.SUBRAMANIAN, J.**)

The State is on appeal aggrieved by the direction issued by the Writ Court requiring the State to approve the appointment of the 1st respondent as a Sewing Teacher in the 2nd respondent school with effect from 01.07.2019 with all attendant benefits.

2. The 1st respondent was appointed as a Sewing Teacher as per the staff fixation done for the academic year 2019-2020. Though it was found that neither the 2nd respondent school or the Corporate Management which runs the 2nd respondent school have any surplus Sewing Teachers, the Chief Educational Officer, Kanyakumari, refused approval on the ground that there are surplus Sewing Teachers in other aided schools in the district. This Court has repeatedly held that in respect of minority institutions, the availability of surplus teachers in other aided schools cannot be a ground to reject the



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approval of appointments made in minority institutions particularly when there are no surplus teachers in the relevant subject in the school or in the Corporate Management.

3. As regards the Sewing Teachers, a Division Bench of this Court after elaborately considering the position of law by its judgment dated 15.04.2024 made in W.A(MD)No.675 of 2024, had made it very clear that one Sewing Teacher is essential in every girls school. Hence, we are unable to fault the Writ Court for having directed approval of the appointment of the 1st respondent with effect from 01.07.2019. The Writ Appeal, therefore, fails and it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M, J.) (L.V.G, J.)
04.09.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The Secretary,
Department of School Education,
Fort St. George, Chennai 600 009.



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JUDGMENT MADE IN
W.A(MD)No.1524 of 2024
DATED : 04.09.2024