



W.P.(MD)No.13113 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.13113 of 2024
and
W.M.P.(MD).No.11623 of 2024

M.Mohan

... Petitioner

Vs.

1.The District Educational (Elementary) Officer,
Thoothukudi, Thoothukudi District.

2.The Block Educational Officer-I,
Karungulam,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling upon records of the first respondent relating to proceedings in Na.Ka.No. 1250/A2/2024 dated 13.06.2024 and quash the same and consequently direct 1 and 2 respondents to consider the petitioner's representations dated 06.06.2024 and 15.06.2024.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondents : Mr.T.Amjadkhan,
Government Advocate



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ORDER

WEB COPY Heard Mr.P.Samuel Gunasingh, learned counsel appearing for the petitioner and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents.

2. The petitioner, who has been deployed to some other School in view of the proceedings showing one Secondary Grade Teacher post in his original place, has filed this Writ Petition, challenging the order of deployment dated 13.06.2024.

3. Mr.P.Samuel Gunasingh, learned counsel appearing for the petitioner submitted that the staff fixation has been wrongly done by the respondent authorities despite there is sufficient students strength and ratio.

4. The submission of the petitioner is that if the staff strength has been fixed wrongly in accordance with the students strength, the petitioner should not have been declared as 'surplus'. However, the staff fixation had not challenged by the School Management. Unless the respondent authorities have refixed the staff strength by reworking the process taking into account of the strength of the students, the petitioner cannot have any cause of action.



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WEB COPY 5. Even if the order of deployment is set aside, the petitioner may not have any place to work. Hence, the petitioner has given representations to the first respondent on 06.06.2024 and 15.06.2024.

6. In view of the above, this Writ Petition is **disposed of** with a direction to the first respondent to initiate action by calling for report from the concerned, who is in-charge of the School and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

19.06.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To:

1.The District Educational (Elementary) Officer,
Thoothukudi, Thoothukudi District.

2.The Block Educational Officer-I,
Karungulam,
Thoothukudi District.



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R.N.MANJULA, J.

TSG

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