



WEB COPY

W.A(MD)No.1558 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2024

CORAM:

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

**W.A(MD)No.1558 of 2024
and
C.M.P.(MD)No.12238 of 2024**

1.The Director of Elementary School Education
D.P.I. Compound, College Road,
Chennai.

2.The Chief Educational Officer,
Tenkasi District,
Tenkasi.

3.The District Educational Officer (Elementary)
Tenkasi District,
Tenkasi.

4.The Block Educational Officer,
Keelapavur Range,
Tenkasi District.

...Appellant / Respondents 1 to 4

-VS-

1.K. Jeya Sheela

... Respondent / Writ Petitioner

2.The Correspondent,
T.D.T.A.Middle School,
Adaikalapattanam,
Tenkasi District.

... 2nd Respondent / 5th Respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 14.12.2023 passed in W.P.(MD)No.20566 of 2023.

<https://www.mhc.tn.gov.in/judis>



W.A(MD)No.1558 o

For Appellants : Mr.S.P.Maharajan,
Special Government Pleader

For R-1 : Mr.S. Chellapandian

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The Government is on appeal. The challenge is to the order of the learned Single Judge, directing the authorities to approve the appointment of the 1st respondent herein as a Secondary Grade Teacher in the 2nd respondent school. The claim for a Mandamus was opposed by the department, contending that there are 30 surplus teachers in the management and therefore a Mandamus cannot be issued unless the surplus teachers are deployed. This Court had as early as on 20.03.2018 in the order made in W.A.(MD)Nos. 471 to 475 of 2018 found that the corporate management, namely, the 2nd respondent had redeployed all the surplus teachers and as on the date of the order, that is, on 20.03.2018, there were no surplus teachers in the 2nd respondent management. In view of the above, we do not see any reason to entertain the writ appeal.

2. The Writ Appeal is therefore dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

13.09.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Sml

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