



W.P.(MD)No.13875 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.13875 of 2024

Atheeswari

... Petitioner

Vs.

- 1.The Director of Elementary Education,
DPI Compound, College Road,
Chennai.
- 2.The District Elementary Educational Officer,
Theni District, Theni.
- 3.The Block Educational Officer,
Theni District, Theni.
- 4.Muthaiah Primary School,
Rep.by its Secretary,
Allinagaram,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 and 3 to evaluate the petitioner based on her seniority merit and ability to the post of Head Mistress at Muthaiah Primary School, Allinagaram, Theni District by considering the petitioner's representation dated 17.05.2024.



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For Petitioner : Mr.S.Saravana Kumar
For R1 to R3 : Mr.T.Amjadkhan
Government Advocate

ORDER

The petitioner, who is working as a Secondary Grade Teacher in the fourth respondent School has filed this writ petition seeking a direction to the respondents 2 and 3 to evaluate the petitioner based on her seniority merit and ability to the post of Head Mistress at Muthaiah Primary School, Allinagaram, Theni District by considering the petitioner's representation dated 17.05.2024.

2. Heard Mr.S.Saravana Kumar, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate for the respondents 1 to 3.

3.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4.The learned Government Advocate appearing for the respondents, on instructions, submits that in the respondent School, at present there is no approved Selection Committee and unless a Selection Committee is



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framed, no decision with regard to the promotion among the existing Teachers can be taken. However, the representation of the petitioner had been forwarded to the second respondent and it is pending for consideration.

5.Perusal of the representation made by the petitioner dated 17.05.2024 also shows that the respondent School is under direct payment and presently, there is no approved Selection Committee. It has also been brought to the notice of this Court that the erstwhile Headmaster also retired from service on 31.05.2024 and as on date, the post of Headmaster also fell vacant.

6.Considering the facts and circumstances of the case, in the interest of the School and the students, who are studying therein, the respondents are directed to make an interim arrangement by placing a qualified Teacher in the cadre of Headmaster (in charge), until the School Committee is framed by the School or a new Headmaster is appointed. It is needless to mention here that the second respondent, before whom the representation of the petitioner is pending now, shall consider the representation of the petitioner dated 17.05.2024 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. It is also made clear that this Court has not gone into the merits of the



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claim of the petitioner and it is open to the second respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of.

No costs.

27.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Director of Elementary Education,
DPI Compound, College Road,
Chennai.
- 2.The District Elementary Educational Officer,
Theni District, Theni.
- 3.The Block Educational Officer,
Theni District, Theni.



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R.N.MANJULA, J.

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