



W.P.(MD).No.16038 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16038 of 2023

and

W.M.P(MD) Nos.13446 of 2023 and 3008 of 2024

The Correspondent,
Ponniah Higher Secondary School,
Tiruchirappalli – 620 001,
Tiruchirappalli District.

... Petitioner

Vs.

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,
Trichy, Trichy District.
4. The District Educational Officer,
Trichy, Trichy District.
5. The Correspondent,
St.Xavier's Higher Secondary School,
Purathakudi, Trichy District.



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6. M.Pitchai Pillai,
B.T.Assistant (Maths)
St.Xavier's Higher Secondary School,
Purathakudi Trichy 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 proceedings of the third respondent CEO in Na.Ka.No.7300/Aa4/2022, dated 09.06.2023, quash the same.

For Petitioner	: Mr.M.F.Rooshi Maas For M/s.Issac Chambers
For R1 to R4	: Mr.J.Ashok Additional Government Pleader
For R5 and R6	: No appearance

ORDER

The instant writ petition has been filed by the Management of an Aided Minority Institution, challenging the order of deployment of the sixth respondent from the fifth respondent school to the petitioner's school.

2. According to the learned counsel appearing for the writ petitioner, a vacancy arose in the post of B.T.Assistant (Maths) on 30.09.2018 due to the retirement of one Bashiyam Padmalakshmi. In the said post, the petitioner's



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Management has appointed one Alex Ruban, as B.T.Assistant (Maths) w.e.f.,
01.03.2019.

3. The Management has submitted the proposal to the fourth respondent on 27.06.2019 for his approval. The proposal was returned by the fourth respondent on 15.06.2022. Before the Management could re-submit their proposal, the present impugned order, dated 09.06.2023 has been passed, deploying a B.T.Assistant (Maths) Teacher to the petitioner's school. This order is under challenge in the present writ petition.

4. The learned counsel appearing for the petitioner further submits that the Management has resubmitted their proposal on 05.07.2023 to the fourth respondent and so far, orders have not been passed.

5. Considering the fact that the Management has already appointed one M.Alex Ruban as B.T.Assistant (Maths) on 01.03.2019 and has forwarded the proposal to the educational authorities on 27.06.2019, this Court is inclined to quash the order of deployment. The fourth respondent herein is directed to consider the proposal submitted by the petitioner's Management and if it is



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found fit for approval, the same shall be forwarded to the third respondent.

The said exercise shall be completed and orders be passed on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order,

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

19.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
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R.VIJAYAKUMAR,J.

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