



W.P.(MD) Nos.17879 and 17891 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) Nos.17879 and 17891 of 2020

Lucy Perry Noble Girls Special
Higher Secondary School,
Rep., by its Correspondent,
Rachanyapuram, K.Pudur,
Madurai-625 007.

... Petitioner
in both W.Ps

Vs.

- 1.The Chief Educational Officer,
Madurai District,
Madurai.
- 2.The District Educational Officer,
District Educational Office,
Melur, Madurai District.

... Respondents
in both W.Ps

Prayer in W.P.(MD) No.17879 of 2020: Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned order of staff fixation issued by the 1st respondent in Na.Ka.No.6987/Aa2/2018 dated --.01.2019 (signed on



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04.01.2019) r/w the impugned orders issued by the 2nd respondent in O.Mu.No.3260/A1/2019 dated --.07.2019 (signed on 08.07.2019) and quash the same and consequently direct the respondents to approve the appointment of Tmt.J.Rurthammal Grace as B.T.Assistant Science with effect from 19.09.2018 with all consequential monetary benefits.

Prayer in W.P.(MD) No.17891 of 2020: Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned order of staff fixation issued by the 1st respondent in Na.Ka.No.6987/Aa2/2018 dated --.01.2019 (signed on 04.01.2019) r/w the impugned orders issued by the 2nd respondent in O.Mu.No.11585/A1/2018 dated --.07.2019 (signed on 08.07.2019) and quash the same and consequently direct the respondents to approve the appointment of N.Sheela Rani as B.T.Assistant Social Science with effect from 29.08.2018 with all consequential monetary benefits.

In both W.Ps.

For Petitioner : Mr.C.Fernandas Rathinaraj

For Respondents : Mr.V.Om Prakash
Government Advocate



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COMMON ORDER

This Court having heard the learned counsel on either side at length, opined that the matter requires consideration of various factual matrix about the strength of the School and the corresponding teaching staff, in the light of various Government Orders issued by the Government from time to time including G.O.(Ms) No.231, School Education (C2) Department, dated 11.08.2010, G.O.Ms.No.525, School Education (D1) Department, dated 29.12.1997 and G.O.(1D) No.217, School Education Department, dated 20.06.2019 and it is not appropriate for this Court to go into such factual aspects in a writ petition.

2. On this Court expressing its opinion as above, the learned counsel for the petitioner sought liberty to go before Respondent No.1 herein by making a representation on factual aspects and also raising objections against the impugned orders and sought indulgence of this Court to direct the 1st respondent to consider the same by duly taking into consideration the various Government Orders governing the field.



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3. In the light of the above, both the Writ Petitions are disposed of granting liberty to the petitioner to make a detailed representation before Respondent No.1 raising the objections bringing to the notice of Respondent No.1 about various factual aspects including on the required teaching staff in the petitioner-School within a period of two weeks from the date of receipt of a copy of this order and on submission of such representation, Respondent No.1 shall consider the same duly taking into consideration the various Government Orders referred to above and other relevant orders and pass a reasoned order in accordance with law within a period of six weeks thereafter. No costs.

05.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

ABR



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To

- 1.The Chief Educational Officer,
Madurai District,
Madurai.
- 2.The District Educational Officer,
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MUMMINENI SUDHEER KUMAR, J.

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