



W.P.(MD).No.18438 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18438 of 2024

and

W.M.P.(MD).No.15682 of 2024

The Correspondent,
Sethu Subramaniam Middle School,
Oorkadu,
Ambasamudram Taluk,
Tirunelveli District-627 406.

... Petitioner

-VS-

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

2. The Block Educational Officer,
Ambasamudram Block,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned staff fixation order for the academic year 2018-2019 issued by the first respondent by his proceedings vide Nil dated 10.06.2019 and an impugned order issued by the first respondent by his proceedings vide



W.P.(MD).No.18438 of 2024

No.Oo.Mu.No.2066/A1/2024 dated 24.06.2024 and to quash the same and consequently directing the Respondents to restore the post of Vocational Teacher (Sewing) and further directing the respondents to grant permission to fill up the post of Vocational Teacher (Sewing) in the petitioner school.

For Petitioner : Mr.G.Sailendrababu
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The instant writ petition has been filed by an Aided Non Minority Institution, challenging the staff fixation order of the year 2018-2019, wherein the post of Sewing Teacher has been declared as surplus.

2. The petitioners have not challenged the staff fixation order immediately, but waited for an order to be passed by the authorities rejecting prior permission to fill up the sewing teacher post on 24.06.2024. When a particular post is declared as surplus, it is quiet natural and consequential to reject the prior permission sought to fill up the said post.



W.P.(MD).No.18438 of 2024

WEB COPY

3. As on today the school is governed by the staff fixation order for the year 2024-2025. Therefore, no purpose would be served in setting aside the order of the staff fixation for the year 2018-2019.

4. In view of the above said facts, this writ petition is disposed of with a liberty to the petitioner to challenge the staff fixation order for the year 2024-2025, if they are so advised. No costs. Consequently, connected miscellaneous petition is closed.

09.12.2024

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

To

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

2. The Block Educational Officer,
Ambasamudram Block,
Tirunelveli District.

3/4



WEB COPY



W.P.(MD).No.18438 of 2024

R.VIJAYAKUMAR,J.

gvn

W.P(MD)No.18438 of 2024

09.12.2024