



W.A.(MD).No.2146 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

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

**W.A.(MD).No.2146 of 2024
and
C.M.P.(MD)No.15133 of 2024**

- 1.The Government of Tamil Nadu,
Rep. By its Additional Chief Secretary,
Department of School Education,
Fort St. George, Chennai – 9.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Dindigul.
- 4.The District Educational Officer,
Office of the District Educational Officer,
Dindigul.

... Appellants

-VS-

- 1.S.Michael Arockia Raj
- 2.The Correspondent,
Infant Jesus High School,
Maravapatty,
Dindigul District.

... Respondents



W.A.(MD).No.2146 of 2024

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.27768 of 2023, dated 12.12.2023.

For Appellants : Mr.S.P.Maharajan,
Special Government Pleader
For Respondents : Mr.S.Savari Muthu
For M/s.Father Xavier Associates

JUDGMENT

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

Mr.S.Savari Muthu, learned counsel takes notice for the respondents.

2.The State is on Appeal. The challenge in the Writ Appeal is to the order dated .06.2023, in and by which, the 4th respondent had returned the proposal for approval of appointment of one S.Michael Arockia Raj as a BT Assistant (History) in the 2nd respondent School with effect from 01.06.2023.

3.The only reason for return is there are no directions from the Director of School Education, for approval of his appointment. This Court as well as the Hon'ble Supreme Court have repeatedly held that the approval of appointments to sanction post that too by Minority Institutions, cannot be held by the authorities awaiting orders from the



W.A.(MD).No.2146 of 2024

Director. Once it is found that the post is within sanctioned strength of the School, approval ought to be granted. The Writ Court has just done that. Therefore, we see no merits in the Writ Appeal.

4.Hence, the Writ Appeal is dismissed. The appellants will approve the appointment of the 1st respondent as the BT Assistant (History) in the 2nd respondent School within a period of 12 weeks from the date of receipt of copy of this order and pay all salary and allowances payable to him from the date of his initial appointment i.e., on 01.06.2023. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] [L.V.G., J.]
24.10.2024

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



W.A.(MD).No.2146 of 2024

WEB COPY

To

- 1.The Additional Chief Secretary,
Government of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai – 9.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai - 6.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Dindigul.
- 4.The District Educational Officer,
Office of the District Educational Officer,
Dindigul.



WEB COPY



W.A.(MD).No.2146 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

W.A.(MD).No.2146 of 2024

24.10.2024