



W.P.(MD).No.20244 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.20244 of 2023

and

W.M.P.(MD).Nos.16707 & 16709 of 2023

D.Susikaran Jebakumar

...Petitioner

-Vs-

1. The Director of School Education,
DPI Compound, College Road,
Chennai-6.

2. The Chief Educational Officer,
Tenkasi, Tenkasi District.

3. The District Educational Officer,
Tenkasi, Tenkasi District.

4. The Correspondent,
Baren Bruck Higher Secondary School,
Bungalow Surandai, Tenkasi District.

5. The Manager,
TDTA Higher Secondary and Special Schools,
Diocesan Office Campus,
Palayamkottai-627 002.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the proceedings of the third respondent in Na.Ka.No. 1939/Aa3/2019 dated 01.08.2023 and quash the same and consequently to approve the appointment of the petitioner from 01.07.2019 as BT Assistant Science in the fourth respondent school with all benefits.

For petitioner : Mr.M.S.Suresh Kumar

For Respondents Nos.1 to 3 : Mr.T.Amjadkhan
Government Advocate

For Respondent Nos.4 & 5 : Mr.P.P.Alwin Balan

ORDER

The instant writ petition has been filed by a B.T. Assistant (Science) Teacher appointed to the fourth respondent school, challenging the order passed by the third respondent on 01.08.2023, wherein, the proposal forwarded by the management for approval of the appointment of the petitioner has been rejected.



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2. A perusal of the impugned order dated 01.08.2023 reveals that the petitioner has been appointed as a B.T. Assistant (Science) Teacher in the fourth respondent school which is administered by the fifth respondent management. The impugned order points out that the petitioner having been appointed in the Academic year 2018-2019 is in excess of the staff strength fixed for the concerned school.

3. A perusal of the staff fixation order for the year 2018-2019 reveals that the school has been sanctioned four B.T. Assistant (Science) teachers and five B.T.Assistant (History) Teachers. The petitioner being a B.T. Assistant (science) teacher is the fifth science teacher appointed in the school which is beyond and in excess of the staff fixation order.

4. In view of the above said circumstances, the authorities were right in rejecting the proposal forwarded by the management for approving the appointment of the writ petitioner on the ground that the petitioner has been appointed in excess of the staff fixation order for the relevant academic year.



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5. In view of the above said facts, there are no merits in this writ petition, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2024

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Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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R.VIJAYAKUMAR,J.
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