



W.P.(MD).No.16999 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16999 of 2018
and WMP(MD) Nos.14990 & 14991 of 2018

The Correspondent,
St.Antony's High School,
Thundathuvilai – 629 157,
Kanyakumari District.

... Petitioner

Vs

1. The Director of School Education,
College Road, Chennai 600 006.

2. The Chief Educational Officer,
Kanyakumari District at Nagercoil,
Kanyakumari District 629 001.

3. The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari 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 Staff fixation settled by the 3rd respondent DEO to the petitioner's school for the academic year 2017-2018 vide proceedings in Na.Ka.No.



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5544/A4/2017, dated 09.10.2017, quash the same, in so far as it renders the one post of Sewing Mistress as surplus.

For Petitioner : Ms. Rushi Mash

For Respondents : Mr.T.Amjad Khan (R1-R3)
Government Advocate

ORDER

The present writ petition has been filed challenging the impugned Staff fixation settled by the 3rd respondent DEO to the petitioner's school for the academic year 2017-2018 vide proceedings in Na.Ka.No.5544/A4/2017, dated 09.10.2017, insofar as it renders the one post of Sewing Mistress as surplus.

2.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent. Perused the materials on record.

3.It is settled proposition of law that a single post of Sewing Mistress should not be rendered as surplus.

4.In view of the same, the impugned order, dated 09.10.2017 is hereby quashed and remanded back to the 2nd respondent to reconsider



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representation of the petitioner's School and pass positive orders in favour of the petitioner's School. It is made clear that the petitioner's School has entitlement to retain the single post of Sewing Mistress.

5. Accordingly, this writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.11.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

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College Road, Chennai 600 006.

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L.VICTORIA GOWRI, J.

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