



W.A.(MD)No.2203 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2024

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CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.A.(MD)No.2203 of 2024

and

C.M.P.(MD)No.15490 of 2024

1.The Chief Educational Officer,
Ramanathapuram District.

2.The District Educational Officer,
Paramakudi,
Ramanathapuram District.

: Appellants

Vs.

1.J.Kulandai Therese

2.The Correspondent,
Alangara Matha Higher Secondary School,
Paramakudi,
Ramanathapuram District

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent,
praying to set aside the order dated 13.12.2023 in W.P.(MD)No.683
of 2022.



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For Appellants : Mr.J.Ashok
Additional Government Pleader
For Respondent No.1 : Mr.V.Panneerselvam

JUDGMENT

[Judgment of the Court was delivered by **M.S.RAMESH, J.**]

Challenge is made to the order of the learned Single Judge dated 13.12.2023 in W.P.(MD)No.683 of 2022.

2.The reasoning adopted by the educational authorities / appellants that approval of appointment cannot be granted when surplus teachers exist in the Corporate Management of an Educational Institution, cannot be sustained in view of the several decisions of this Court. The learned Single Judge has placed reliance on one such decision of a Co-ordinate Bench of this Court in W.A.(MD)No.81 of 2022 dated 02.03.2022 and allowed the Writ Petition.

3.We do not find any infirmity or illegality in such a finding when the law in this regard has been well settled and hence, there are no merits in this Writ Appeal.



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4. Accordingly, this Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R.,J.] & [A.D.M.C.,J.]
06.11.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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To

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

JUDGMENT MADE IN
W.A.(MD)No.2203 of 2024

06.11.2024