



W.P.(MD).No.24697 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24697 of 2024

and

W.M.P(MD) No.21021 of 2024

Aided Primary School Kongarayakurichi,
Through its Manager,
S.M.B.Shahul Hameed,
S/o. Bahrudeen,
Kongarayakurichi,
Karungulam Union,
Thoothukudi District.

... Petitioner

Vs.

1. The District Educational Officer,
Primary Education,
Office at Pudukkottai,
Thoothukudi District,
Thoothukudi.

2. The Block Educational Officer,
Karungulam Union,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the the respondents to grant approval for appointment of A.Sanjitha Begam in sanctioned post of Head Master in the petitioner's School from the date of appointment i.e.,



W.P.(MD).No.24697 of 2024

03.06.2024 forenoon with all consequential and other attendant benefits including arrears of salary by considering the petitioner's proposal for approval dated 21.06.2024 and representation dated 05.10.2024 without insisting Teacher's Eligibility Test Certificate.

For Petitioner : Mr.I. Robert Chandra Kumar

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The instant Writ Petition has been filed by an Aided Minority Institution, seeking a Mandamus as against the first respondent to approve the appointment of one A.Sanjitha Begam as Headmistress in the said School with effect from 03.06.2024 onwards.

2. According to the learned counsel appearing for the writ petitioner, the petitioner School is an Aided Minority Institution and they have appointed one A.Sanjitha Begam as Headmistress of the said School on 03.06.2024 and they have forwarded the proposal to the first respondent herein on 21.06.2024. The said proposal was followed by a representation on 05.10.2024. However, the authorities have not passed any orders on the said



W.P.(MD).No.24697 of 2024

proposal. Therefore, the instant writ petition has been filed that the authorities may be directed to grant approval without insisting on Teacher's Eligibility Test Certificate.

3. It is also brought to the notice of this Court that the second respondent has returned the documents alone, without returning the proposals submitted by the Management. Therefore, the petitioner Management is directed to resubmit the proposal to the second respondent herein.

4. Considering the fact that the petitioner Institution is a minority Institution, the question of passing Teacher's Eligibility Test is not mandatory as of now. Therefore, the second respondent is directed to forward the proposals to the first respondent herein within a period of four weeks from the date of receipt of resubmission of the papers by the petitioner Management. Thereafter, the first respondent is directed to pass orders on merits and in accordance with law, within a period of twelve weeks thereafter.



W.P.(MD).No.24697 of 2024

WEB COPY

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

18.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The District Educational Officer,
Primary Education,
Office at Pudukkottai,
Thoothukudi District,
Thoothukudi.
2. The Block Educational Officer,
Karungulam Union,
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W.P.(MD).No.24697 of 2024

R.VIJAYAKUMAR,J.

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W.P(MD)No.24697 of 2024

18.10.2024