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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.24999 of 2024

and

W.M.P(MD)No.21306 of 2024

The Secretary,
Meenakshi Sundaram Memorial Hr.Sec.School,
Idaikal, Kadayanallur Taluk,
Tenkasi District. ... Petitioner

Vs.

1.The Director of School Education,
DPI Complex, College Road,
Chennai.

2.The Joint Director of School Education,
Chennai -6.

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

4.The District Educational Officer,
District Educational Office,
Tenkasi,
Tenkasi District. ...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 4th respondent herein in his proceedings in Oo.Mu.No.6865/A4/2023, dated 20.02.2024 and quash the same as illegal and further directing the respondents herein to accord prior permission to fill up the post of PG Assistant (Zoology) teacher fell vacant from 01.06.2019 due to superannuation of one Mrs. V. Thangapuspam and release the grant in aid to the Meenakshi Sundaram Memorial Higher Secondary School by considering the petitioner's proposal dated 26.06.2018 and representation dated 01.12.2021 and 08.05.2023 and 26.12.2023 and pass appropriate orders within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The instant writ petition has been filed by an aided institution challenging the order passed by the fourth respondent herein, wherein two original documents are directed to be enclosed for considering the approval of appointment of PG(Assistant) Zoology Teacher.



2.The grievance of the writ petitioner is that already they have enclosed xerox copy of the two documents that were sought in the impugned order, dated 20.02.2024 and it is not possible to enclose the original documents.

3.This Court is of the considered opinion that unless some doubts are raised with regard to the xerox copy furnished by the School Management, the authorities cannot insist upon the production of the original resolution book or the communal roaster register book. Therefore, the order impugned in the writ petition is hereby set aside and the fourth respondent is directed to consider the proposals submitted by the petitioner's Management on merits and in accordance with law and forward the same to the concerned authorities based upon the xerox copies which are already filed by the Management within a period of eight weeks from the date of receipt of a copy of this order.

4.With the above said observations, this writ petition stands disposed of.
No costs. Consequently, connected miscellaneous petition is also closed.

19.10.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

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Chennai.

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Tenkasi District.



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R.VIJAYAKUMAR, J.

RJR

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