



W.P.(MD).No.25010 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25010 of 2024

and

W.M.P(MD) No.21310 of 2024

The Secretary,
Meenakshi Sundaram Memorial
Higher Secondary 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



W.P.(MD).No.25010 of 2024

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the fourth respondent herein in his proceedings in Oo.Mu.No.6863/A4/2024, 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 (Commerce) Teacher fell vacant from 01.06.2016 due to superannuation of one Mr.K,Sundaresan and release the grant in aid to the Meenakshi Sundaram Memorial Higher Secondary School by considering the petitioner proposal dated 12.03.2018 and reminder dated 01.12.2021 and 08.05.2023 and 26.12.2023.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present Writ Petition has been filed by a Secretary of an Aided Non Minority Institution, challenging the order passed by the fourth respondent herein, wherein the proposal forwarded by the Management has been returned.



W.P.(MD).No.25010 of 2024

WEB COPY

2. A perusal of the impugned returned order dated 19.02.2024 reveals that the petitioner Management has been directed to furnish the originals of the Communal Roster Register and the School Committee Resolution Register.

3. According to the learned counsel appearing for the writ petitioner, the petitioner has already enclosed the Xerox copy of the above said documents along with proposal and it would be difficult to produce the originals of those Certificates.

4. This Court is of the considered opinion that the originals of the above said documents cannot be called for by the respondent authorities unless he entertained any doubt over the entries made therein.

5. In view of the above said facts, the order impugned in the writ petition is set aside and the matter is remitted back to the file of the fourth respondent herein. The fourth respondent is directed to consider the proposal submitted by the Management on the basis of the Xerox copy of the above said Registers submitted by the Management and pass orders on merits and in



W.P.(MD).No.25010 of 2024

WEB COPY

accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above said observations, this Writ Petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

21.10.2024

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

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,
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Tenkasi District.



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W.P.(MD).No.25010 of 2024

R.VIJAYAKUMAR,J.

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W.P(MD)No.25010 of 2024

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