



W.P.(MD).No.27916 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27916 of 2024

A.Vimalamary

... Petitioner

-VS-

1.The Chief Educational Officer,
Tenkasi District.

2. The District Educational Officer, (Secondary) ,
Tenkasi,
Tenkasi District.

3. The Correspondent,
Punitha Arulappan Higher Secondary School,
Avudayanoor,
Tenkasi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to approve the appointment of the petitioner as B.T.Assistant (Tamil) from the date of appointment i.e., 22.12.2023 with salary and all the consequential benefits as per the proposal submitted by the third respondent dated 18.05.2024.



W.P.(MD).No.27916 of 2024

WEB COPY

For Petitioner : Mr.V.Panner Selvam
For Respondent Nos.1 & 2 : Mr.T.Amjadkhan,
Government Advocate

ORDER

The instant writ petition has been filed by a B.T. Assistant (Tamil) Teacher working the third respondent school seeking a mandamus to approve her appointment with effect from 22.12.2023 with salary and all the consequential benefits.

2. A perusal of the records reveal that the petitioner has been appointed as B.T. Assistant (Tamil) Teacher in the third respondent school on 22.12.2023, and the proposal has been forwarded by the management for approval to the authorities on 18.05.2024. Since, the said proposal has not been considered, the present writ petition has been filed.

3. According to the learned Counsel appearing for the writ petitioner the first respondent has already issued a certificate to the effect that there are no surplus teachers upto the academic year 2022-2023 in the Corporate



W.P.(MD).No.27916 of 2024

WEB COPY

Management of the third respondent school. The petitioner has relied upon the proceedings of the first respondent dated 31.10.2023, wherein, it is certified that there are no surplus teachers in the Academic year 2022-2023.

4. The learned Counsel appearing for the writ petitioner further relied upon another communication of the first respondent dated 09.07.2024, wherein, it is declared that there are no surplus teacher in the Corporate Management for the Academic Year 2023-2024.

5. It is also brought to the notice of this Court that the writ petitioner has passed an TET examination.

6. Considering the above said facts, the second respondent is directed to forward the proposal of the management to the first respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to approve the appointment of the writ petitioner, in view of the 'No Surplus Certificate' issued to the Corporate Management.



W.P.(MD).No.27916 of 2024

WEB COPY

7. With the above said observations, this writ petition stands disposed of. No costs.

21.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
gvn



WEB COPY



W.P.(MD).No.27916 of 2024

To

1.The Chief Educational Officer,
Tenkasi District.

2. The District Educational Officer, (Secondary) ,
Tenkasi,
Tenkasi District.

3. The Correspondent,
Punitha Arulappan Higher Secondary School,
Avudayanoor,
Tenkasi District.



WEB COPY



W.P.(MD).No.27916 of 2024

R.VIJAYAKUMAR,J.

gvn

W.P(MD)No.27916 of 2024

21.11.2024