



W.P(MD)No.31069 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P(MD)No.31069 of 2023

and

W.M.P(MD)Nos.26630 & 26632 of 2023

L.Beula,
BT Assistant,
CMS Evangelical Middle School,
Melapthai, Kalakad,
Tirunelveli District.

... Petitioner

Vs.

- 1.The Director of School Education,
College Road, Chennai – 600 006.
- 2.The Chief Educational Officer,
Tirunelveli, Tirunelveli District.
- 3.The District Educational Officer,
(Elementary Education),
Valliyoor, Tirunelveli District.
- 4.The Block Educational Officer,
Kalakadu,
Tirunelveli District.
- 5.The Correspondent,
CMS Evangelical Middle School,
Melapathai, Kalakad,
Tirunelveli District.

... Respondents

***(Cause-title of the petitioner is amended vide order
dated 25.06.2024 made in W.M.P(MD)No.11534 of 2024)***



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent District Educational Officer in O.Mu.No.2249/Aa1(Aa2)/2022 dated 20.01.2023 quash the same and further direct the third respondent DEO to approve forthwith the appointment of petitioner as BT Assistant in the fifth respondent CMS Evangelical Middle School, Melapathai, w.e.f., the date of her appointment viz., 08.11.2021 with all attendant benefits including arrears of salary.

***(Prayer is amended vide order dated 25.06.2024
made in W.M.P(MD)No.11534 of 2024)***

For Petitioner	: Mr.K.Ragatheesh Kumar
For Respondents	: Mr.T.Amjad Khan Government Advocate for R.1 to R.4

ORDER

Heard Mr.K.Ragatheesh Kumar, learned counsel appearing for the petitioner and Mr.T.Amjad Khan, learned Government Advocate appearing for the respondents 1 to 4.

2. This Writ Petition has been filed seeking to quash the order of the third respondent, dated 20.01.2023 and further direct the



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third respondent DEO to approve forthwith the appointment of the petitioner as B.T Assistant in the fifth respondent CMS Evangelical Middle School, Melapathai, with effect from the date of her appointment viz., 08.11.2021 with all attendant benefits including arrears of salary.

3. Mr.K.Ragatheesh Kumar, learned counsel appearing for the petitioner, submitted that the impugned order of the third respondent, dated 20.01.2023 is just a return endorsement addressed to the Block Development Officer in order to get the proposal represented with the certain documents listed in the impugned order. The learned counsel for the petitioner submitted that the fifth respondent School is a Minority Institution for which TET qualification is not necessary. But, in the impugned order, one of the requirement has been stated as the production of TET eligibility of the appointee. But all these informations should be furnished by the School Committee which is responsible for the administration for appointment and all other affairs of the School.

4. If the petitioner is aggrieved, in case, she presumes that there is inaction on part of the School Committee which appointed her, the best thing she can do is to make a representation to the School Committee to take the matter forward by attaching the required documents by giving appropriate explanation and re-submit



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the proposal to the District Educational Officer for processing the proposal further and pass orders.

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

25.06.2024

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NCC : Yes / No

Index : Yes / No

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To

<https://www.mhc.tn.gov.in/judis>



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R.N.MANJULA,J.

ps

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**25.06.2024
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