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W.P.No.19623 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.19623 of 2025

1.C.Kavitha

2.P.Thenmozhi

3.S.Sarala

..Petitioners

Vs.

1.The Principal Secretary/
The State Project Director,
Sarva Shiksha Abiyan (SSA),
DPI Campus, College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Kallakurichi,
Kallakurichi District - 606 202.

3.The Headmaster,
Kasturba Gandhi Baliga Vidyalaya Residential School,
Mudiyanur,
Kallakurichi District - 606 213.

4.The Headmaster,
Kasturba Gandhi Baliga Vidyalaya Residential School,
Mudiyanur,
Kallakurichi District - 606 213.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Mandamus, directing the respondents 2,3 and 4 to reinstate the petitioners 1 and 3 as BT Assistants in Kasturba Gandhi Baliga Vidyalaya Residential School, Mudiyanur, Kallakurichi District, the 3rd respondent herein and the 2nd petitioner as BT Assistants in Kasturba Gandhi Baliga Vidyalaya Residential School, Pukkiravari in Kallakurichi District -606 213, the 4th respondent herein and consequently direct the 1st respondent to pay the arrears of salary from the date of preventing the petitioners from working as BT Assistants within a time frame fixed by this Court.

For Petitioners : Mrs.Nalini Chidambaram
Senior Counsel
for M/s.C.Uma

For Respondents : Mrs.S.Mythreye Chandru
for R1 and R2
Special Government Pleader
Notice dispensed with
for R3 and R4

ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus, to direct the respondents 2,3 and 4 to reinstate the petitioners 1 and 3 as BT Assistants in Kasturba Gandhi Baliga Vidyalaya Residential School, Mudiyanur, Kallakurichi District, the 3rd respondent herein and the 2nd petitioner as BT Assistants in Kasturba Gandhi Baliga Vidyalaya Residential School, Pukkiravari in Kallakurichi District -606 213, the 4th



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respondent herein and consequently direct the 1st respondent to pay the arrears of salary from the date of preventing the petitioners from working as BT Assistants within a time frame fixed by this Court.

2. It is the contention of the learned senior counsel for the petitioners that the petitioners were terminated without following any due procedure, therefore, these writ petitions deserve to be allowed. She would also that, the petitioner may be given liberty to send representation directly to the respondents 1 and 2.

3. The learned Special Government Pleader strongly objected to the contention of the learned Senior Counsel and submitted that the petitioners are not Government employees, as they were appointed by a Non-Governmental Organization. Hence, this writ petition is not maintainable. In support of her submission, the learned Special Government Pleader drew the attention of this Court to a similar writ petition in W.P.No.21296 of 2024 filed by the second petitioner herein. In that case, a similar prayer was sought by the second petitioner, but the said writ petition was dismissed by this Court by order dated 01.08.2024, on the ground of dereliction of duty.

4. However, the learned Special Government Pleader submitted that she is not in a position to make her submissions on the status of the first and



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third petitioners without obtaining written instructions from the 2nd respondent/Chief Educational Officer, Kallakurichi. Furthermore, the State Project Director, Nungambakkam, has also not provided any information regarding the status of the first and third petitioners. It is strongly contended by the learned Special Government Pleader that the second petitioner has not challenged her removal order, therefore, the relief sought by the 2nd respondent in the present writ petition is liable to be dismissed.

5. Since the restricted prayer is sought only against R1 and R2, notice to R3 and R4 is dispensed with.

6. Heard the learned counsel for both sides and perused the materials available on record.

7. Though there are disputed facts between the parties, considering the peculiar circumstances of the case, this Court deems it fit to grant liberty to the first and third petitioners to submit a representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the first respondent is directed to consider and pass appropriate orders thereon, within a period of six weeks thereafter.



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8. In the result, the writ petition is dismissed with liberty insofar as 1st and 3rd petitioners are concerned. Insofar as the 2nd petitioner is concerned, the writ petition is dismissed. No costs.

09.06.2025

(1/2)

msv

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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C.KUMARAPPAN, J.

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