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W.P.No.20499 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 12.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.No.20499 of 2025**

**and**

**W.M.P.No.23147 of 2025**

N. Fayaz Ahmed

...petitioner

**Vs**

1. The Director of School Education,  
College Road, Chennai – 600 006.

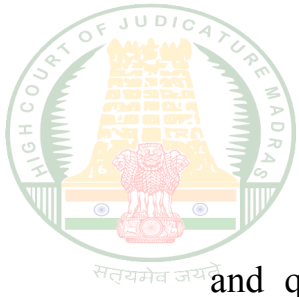
2. The Chief Educational Officer,  
Thirupattur District, Thirupattur.

3. The District Educational Officer,  
Thirupattur District, Thirupattur.

3. The Correspondent  
Anaikar Oriental ( Arabic) Higher Secondary School,  
M.C. Road, Ambur – 635 802.

... Respondents

**Prayer:** Writ petition is filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the 3<sup>rd</sup> respondent in A.Thi.Mu.No.001980/Aa3/2024 dated Nil.07.2024 signed on 19.07.2024



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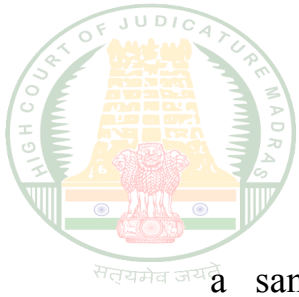
and quash the same and consequently direct the second respondent to approve the appointment of the petitioner as B.T.Assistant(Science), Urdu Medium Teacher, in the 4<sup>th</sup> respondent school with effect from 10.06.2024 with all consequential monetary benefits and pass orders.

For Petitioner : Mr.SN. Ravichandran  
For Respondents 1 to 3 : Mr. S.Mythreye Chandru  
Special Government Pleader

### **ORDER**

This writ petition is filed to issue Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the 3<sup>rd</sup> respondent A.Thi.Mu.No.001980/Aa3/2024 dated Nil.07.2024 signed on 19.07.2024 and quash the same and consequently direct the second respondent to approve the appointment of the petitioner as B.T.Assistant(Science), Urdu Medium Teacher, in the 4<sup>th</sup> respondent school with effect from 10.06.2024 with all consequential monetary benefits.

2.The learned counsel appearing for the petitioner would submit that the petitioner was appointed as B.T. Assistant on 10.06.2024 in



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a sanctioned vacancy. The learned counsel further submit that on 10.06.2024 when the school submitted the proposal to the second respondent through the third respondent, the same was rejected by the third respondent on merits. It is submitted by the learned counsel for the petitioner that the appropriate authority to consider the said proposal is the second respondent namely the Chief Educational Officer. In this regard the learned counsel also relied on the order passed by this Court in W.P.No.35180 of 2024 dated 03.12.2024, which according to the petitioner is an identical case, where this Court set aside the similar impugned order and remanded the matter back to the competent authority to pass orders in accordance with law.

3. The learned Special Government Pleader fairly concede that the issue dealt in W.P.No.35180 of 2024 is identical to that of the present writ petition. For ready reference it would be appropriate to extract the relevant portion of the order in W.P.No.35180 of 2024, dated 03.12.2024; the relevant paragraphs are paragraph Nos. 4,5 and 6, which reads as follows:



4. *Learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the impugned order has been passed by the 3<sup>rd</sup> respondent only on merits. Since the competent Authority is 2<sup>nd</sup> respondent, the matter may be remanded back to the authorities concerned to pass appropriate orders on merits.*

5. *Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and this Court has perused the materials available on record carefully.*

6. *Considering the fact that the impugned order has been passed by the 3<sup>rd</sup> respondent, but the competent authority to grant approval for appointment of B.T.(Assistant) Teacher is 2<sup>nd</sup> respondent, the matter is remanded back to the 2<sup>nd</sup> respondent for fresh consideration and the 2<sup>nd</sup> respondent is directed to pass appropriate orders on merits and in accordance with law, within a period of four(4) weeks from the date of receipt of a copy of this order.*

4. From the ratio of the above order, it is amply clear that the second respondent is the competent authority to consider such proposal. In view of the same, by applying the ratio of the above order, the impugned order passed by the third respondent is set aside and the matter is remanded back to the second respondent, to consider the proposal afresh according to its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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5. In the result, this Writ Petition is disposed of with the above observations. No costs. Consequently the connected miscellaneous petition is closed.

**12.06.2025**

smn

Index : Yes/No

Speaking order/non-speaking order

To,

1. The Director of School Education,  
College Road, Chennai – 600 006.

2. The Chief Educational Officer,  
Thirupattur District, Thirupattur.

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**C.KUMARAPPAN, J.,**

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and  
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**12.06.2025**