



W.P.(MD).No.20711 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.20711 of 2024

The Secretary,
Ayira Vaisya Higher Secondary School,
5/337, Sowkathalai Street,
Paramakudi – 627 707,
Ramanad District.

...Petitioner

Vs

1.The Joint Director of School,
Education, DPI Campus,
College Road,
Chennai 600 006.

2.The Chief Educational Officer,
Ramanathapuram,
Ramanad District.

3.The District Educational Officer (Secondary),
Ramanathapuram,
Ramanad District.

... Respondents

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 relating to the impugned order of the third respondent in Na.Ka.No.5429/A3/2022 dated 19.06.2023 and consequential impugned order in O.Mu.No.0522/A3/2024 dated



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28.06.2024 of the third respondent herein and quash the same and consequently direct the respondents 1 to 3 herein to grant permission to fill up the office Assistant post in the petitioner school.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The petition has been filed challenging the communication that has been received by the petitioner, wherein the third respondent had indicated that the application of the petitioner had been rejected.

2. Earlier, when the matter was taken up for hearing, the learned Additional Government Pleader appearing on behalf of the respondents would submit that the proposal was still pending for consideration and it is not known how the said communication had emanated from the third respondent and that the same appeared to be a case of miscommunication. He further submits that if the appeal is allowed in favour of the Government, the petitioner cannot seek for prior approval beyond the sanctioned strength as prescribed under G.O.No.238, School Education Department, dated 13.11.2008.



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3. In view of the proposal pending with the third respondent, it would be appropriate to direct the third respondent to consider the proposal sent by the petitioner for the appointment of the Office Assistant in the petitioner's school and pass appropriate orders on merits in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. It is also made clear that considering the students strength of the school, G.O.No.238, School Education Department, dated 13.11.2008 need not be applied.

5. In fine, the writ petition stands allowed and the impugned orders are quashed with a direction to the third respondent as indicated above.
No Costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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K.KUMARESH BABU, J.

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