

W.P(MD)No.19918 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2025

CORAM

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

**Writ Petition(MD)No.19918 of 2018**

**and**

**W.M.P(MD)Nos.17701 & 17702 of 2018**

The Correspondent  
St. John Vianney's Girls,  
Higher Secondary School,  
Palliyadi – 629 169.

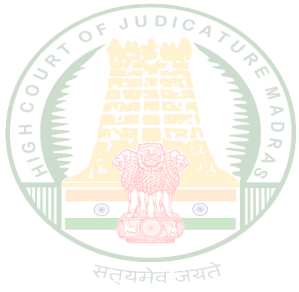
..Petitioner

Vs

- 1.The Director of School Education,  
College Road, Chennai – 600 006.
- 2.The Chief Educational Officer,  
Nagercoil, Kanyakumari District.
- 3.The District Educational Officer,  
Kuzhithurai, Kanyakumari District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned Staff Fixation settled by the 3rd respondent District Educational officer for the Academic year 2017-2018 in Na.Ka.No. 5545/a4/2017 dated 9.10.2017 in so far as rendering 5 teaching posts as Surplus (4 BT Assistants and 1 Physical Education teacher) is concerned and quash the same.



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For Petitioner : Mr.M.F.Rooshimass for  
M/s Isaac Chambers

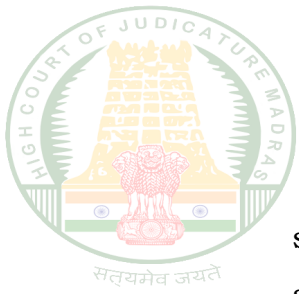
For Respondents : Mr.T.Amjadkhan  
Govt. Advocate

### **ORDER**

This writ petition has been filed challenging the impugned Staff Fixation order issued by the third respondent/District Educational Officer for the academic year 2017–2018 in Na.Ka.No.5545/a4/2017, dated 09.10.2017, insofar as it declares five teaching posts as surplus (four BT Assistants and one Physical Education Teacher).

2. By order dated 19.09.2023 in W.P.(MD) Nos.15209 and 15248 of 2023, this Court had already considered an identical issue relating to the staff fixation process and surplus identification, and after due consideration, the relief sought therein was dismissed. The relevant portion of the said order reads as follows:

“10.Applying the above parameters, for standard VI, the petitioner can have one Tamil medium section. Therefore, English medium section also has to be one. In Class VII, there can be one Tamil medium sections. English medium sections also should be one. For Standard VIII, it should be the 1:1. For standard IX, there can be one Tamil medium section. The English medium section also will have to be one. For class X, there can be one Tamil medium



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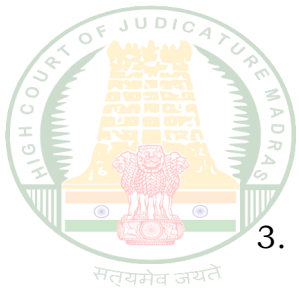


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section with corresponding number of English medium section. The sanctioned teachers- strength will have to be computed on the basis that there are 10 sections in all. If greater number of students are studying in English medium sections and there is need for additional staff strength, it is the management that has to make arrangements for the same. The liability of the State is limited to catering to that number of students studying in English medium on par with the number of students studying in Tamil medium.

12.G.O.Ms.No.525 dated 29.12.1997 states that if the total number of sections in standards VI to X is 11 and above, 3 language teacher posts will be sanctioned. It has already been noted that there are only 5 sections in Tamil medium and therefore, only corresponding number of English medium sections will be permitted. Thus there are totally 10 sections. The petitioner will be entitled to only 2 language teachers (Tamil).

14.In normal circumstances, if any adverse decision is rendered without complying with the principles of natural justice, the writ Court would definitely interfere. In the case on hand, the arguments on either side were heard at length. The issue has been resolved by applying the settled parameters. The facts have been gone into fully. It is not necessary to set aside the impugned proceedings on the technical ground pleaded by the management.



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3. In view of the above, it is clear that the issue raised in the present writ petition stands covered by the earlier decision of this Court in W.P.(MD) Nos.15209 and 15248 of 2023, wherein an identical challenge was negatived. Since the impugned Staff Fixation order in the present case also relates to an earlier period, a different view cannot be taken. Accordingly, the finding rendered in the said order squarely applies to the present case as well. Therefore, the writ petition is liable to be dismissed and, accordingly, it stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**03.09.2025**

NCC : Yes/No  
Index : Yes/No  
Internet:Yes  
skn  
To

- 1.The Director of School Education,  
College Road, Chennai – 600 006.
- 2.The Chief Educational Officer,  
Nagercoil, Kanyakumari District.
- 3.The District Educational Officer,  
Kuzhithurai, Kanyakumari District.



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**P.T.ASHA, J.**

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