



WA(MD) No.1236 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

Tuesday, the Twenty Third day of July Two Thousand and Twenty Four

PRESENT

**The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice G. ARUL MURUGAN**

**WA(MD) No.1236 of 2024
and
CMP(MD) No. 9475 of 2024**

**THE SECRETARY
MAIPPARAI HIGH SCHOOL,
MAIPPARAI POST,
TIRUVENGADAM TALUK - 627 713,
TENKASI DISTRICT.**

... APPELLANT/PETITIONER

Vs

**1 THE STATE OF TAMIL NADU
REP BY ITS SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
FOR ST.GEORGE,
CHENNAI - 600 009.**

**2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD,
CHENNAI - 600 006.**

**3 THE JOINT DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD,
CHENNAI - 600 006.**



WA(MD) No.1236 of 2024

4 THE CHIEF EDUCATION OFFICER
TENKASI,
TENKASI DISTRICT.

5 THE DISTRICT EDUCATIONAL OFFICER,
TENKASI,
TENKASI DISTRICT.

... RESPONDENTS/RESPONDENTS

Writ Appeal filed under Clause 15 of Letters Patent, appeal praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order dated 12.06.2024 in Writ Petition(MD)No. 12437 of 2024 on the file of this Hon'ble Court and allow the Writ appeal.

Prayer in CMP(MD). 9475/ 2024 :

To issue suitable Ad-Interim Stay of the opeation of the impugned proceedings issued by the 4th respondent CEO in Na.Ka.No.4347/ Aa2/2023 dated 30.05.2024, in so far as it deploys one Physical Education Teacher of the petitioner school namely, P.Ananthabagu, pending disposal of the Writ Appeal.

Prayer in WP(MD). 12437/ 2024 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 4th respondent CEO in Na.Ka. no.4347/ Aa2/2023 dated 30.05.2024 (served to the school through e-mail on 07.06.2024), quash the same in so far as one Physical Education teacher namely, P. Ananthabagu, (single cadre post) from the petitioner-school to the other aided school.

ORDER : This Writ Appeal coming on for orders upon perusing the appeal and the affidavit filed in support thereof and upon hearing the arguments of MR.P.MUTHUVEL, Advocate for the petitioner and of MR.S.SHAJI BINO, Special Governemnt Pleader for the Respondents, the court made the following order:-

(Order of the Court was made by R.SURESH KUMAR, J.)

Mr.S.Shaji Bino, learned Special Government Pleader, accepts notice for



WA(MD) No.1236 of 2024

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the respondents. He needs a week's time to get instructions as to whether the single Physical Education Teacher post has already been sanctioned to the appellant School and whether to be retained in the interest of the students, as Physical Education activities to be undertaken in the School which is a High School, cannot be affected by virtue of the single Physical Education Teacher also is redeployed, as per the move that has been taken by the respondent Department.

2.This issue can be decided only after ascertaining the said position from the respondents, for which, the learned Special Government Pleader, since seeks a week's time, post the matter next week.

3.Till such time, no redeployment of Physical Education Teacher from the appellant School, if not already deployed.

sd/-
23/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS
TO
1 THE SECRETARY
STATE OF TAMIL NADU
DEPARTMENT OF SCHOOL EDUCATION,
FOR ST.GEORGE, CHENNAI - 600 009.

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



WA(MD) No.1236 of 2024

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+1. CC to MR.P.MUTHUVEL, Advocate SR.No.8450(I) DT; 24/07/2024

ORDER
IN
WA(MD) No.1236 of 2024
and
CMP(MD) No. 9475 of 2024
Date :23/07/2024

PKP/GS/SAR /24.07.2024/ 4P/ 7C
Madurai Bench of Madras High Court is issuing certified
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