

administrative exigencies. This practice of the corporate management has been also approved by the competent authorities vide memorandum No. 45181/E2/60-2 Education dated 11.06.1960. But even before this proceedings and even before the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 came into force, this practice of the corporate management to transfer the staff from one school to another, was a usual practice, and was accepted by the department. There is no prohibition in law nor any objection from the staff transferred. It is already stipulated in the code of conduct and the administrative guidelines issued by the management which is part and parcel of the appointment order. Every teacher appointed has accepted the same and they are governed by them. They know that they are appointed in the corporate management and are governed by common administrative guidelines.

5. I humbly submit that the averment in para 3 that the petitioner Association has the objective to protect the interest of the teachers and the non-teaching staff, employed in all the minority educational institutions, including the 7<sup>th</sup> respondent diocese is a false claim. The writ petitioner has not produced the list of membership of all the teaching and non-teaching staff, on whose behalf, he claims to file the writ petition. Totally there are 1643 staff members working in sanctioned posts within the corporate management of the 7<sup>th</sup> respondent. The averments in paras 4, 5, 6 & 7 are admitted as true. The averment in para 8, that no person can establish any private schools without prior permission as per Sec. 4 of the Tamil Nadu Recognised Private Schools (Regulation) Act, is inapplicable to minority schools of the 7<sup>th</sup> respondent, as it is covered by section 9 of the same Act.

Objections raised for London

File with 3/10/73

2/10/73