



W.P.(MD) No.11886 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.11886 of 2024

and

W.M.P.(MD) Nos.10593 of 2024, 14721, 14722, 14723 & 14724 of 2025

S.Amirtha Raj

... Petitioner

-vs-

1.The Chief Educational Officer
Kanyakumari District

2.The District Educational Officer
Marthandam
Kanyakumari District

3.The Correspondent
Yettacode Higher Secondary School
Yettacode-629 177
Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 herein to provide either promotion or upgradation to the petitioner as Physical Education Director from 01.06.2024 onwards with salary and other monetary benefits.



W.P.(MD) No.11886 of 2024

WEB COPY

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.M.Dinesh Hari Sudarsan
Counsel for the Govt. of Tamil Nadu for R1 & R2
Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers for R3

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents herein to provide either promotion or upgradation to the petitioner to the post of Physical Education Director from 01.06.2024 onwards with salary and other monetary benefits.

2. During the pendency of the present writ petition, no interim order has been granted in favour of the petitioner as sought for restraining the third respondent – School from filling up the post of Physical Education Director in their School.

3. In view of the same, the third respondent – School proceeded with the recruitment process for filling up the said post and accordingly, appointed one M.X.Aljin Roy as Physical Education Director in their School.



W.P.(MD) No.11886 of 2024

WEB COPY

4. In view of the same, the petitioner herein has now come forward to implead the said selected candidate as a party respondent in the main writ petition by filing a writ miscellaneous petition in W.M.P.(MD) No. 14721 of 2025 and also filed a writ miscellaneous petition in W.M.P.(MD) No. 14722 of 2025 seeking to amend the prayer in the main writ petition challenging the appointment of the said selected candidate as Physical Education Director in the third respondent – School and W.M.P.(MD) Nos. 14723 & 14724 of 2025 seeking to dispense with the production of the original appointment order issued in favour of the said selected candidate and to stay of the operation of the said appointment order respectively.

5. Today, when these writ miscellaneous petitions are taken up for consideration, it is brought to the notice of this Court by Ms.A.Amala, learned counsel, who intends to appear for the proposed respondent, namely, the selected candidate i.e. M.X.Aljin Roy that the writ petitioner herein has already retired from service on attaining the age of superannuation on 30.04.2025 and the above said writ miscellaneous petitions have been filed after he retired from service.



W.P.(MD) No.11886 of 2024

WEB COPY

6. In the light of the fact that the writ petitioner already retired from service, the question of considering his case for promotion or upgradation to the post of Physical Education Director does not arise at all.

7. In the circumstances, this Court is of the considered view that the relief sought in this writ petition has become infructuous, by virtue of the fact that the writ petitioner has retired from service on 30.04.2025 and also, this Court is not inclined to entertain the above said writ miscellaneous petitions.

8. Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, W.M.P.(MD) Nos.14721,14722, 14723 & 14724 of 2025 are dismissed and the other W.M.P.(MD) No.10593 of 2024 is closed.

15.07.2026

(1/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk



W.P.(MD) No.11886 of 2024

WEB COPY

To:

- 1.The Chief Educational Officer,
Kanyakumari District.
- 2.The District Educational Officer,
Marthandam,
Kanyakumari District.



WEB COPY



W.P.(MD) No.11886 of 2024

MUMMINENI SUDHEER KUMAR, J.

krk

W.P.(MD) No.11886 of 2024
and
W.M.P.(MD) Nos.10593 of 2024,
14721, 14722, 14723 & 14724 of
2025

15.07.2026

(1/2)