

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.28118 of 2015

Sri.Krishna Vidhyalaya
Aided Middle School, Ranipet,
rep. by its Manager
N.Jaisri Kothai

...Petitioner

Vs.

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 06.
2. The District Elementary Education Officer,
Vellore - 04.
3. The Assistant Elementary Education Officer,
Walajah East,
Ranipet - 632 401.
4. N.Deepa Gopika
Headmaster,
Sri Krishna Vidhyalaya, Aided Middle School,
Ranipet, No.13, Somu Street, Ranipet,
Walajah Taluk,
Vellore District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the second respondent to approve the resubmitted proposal (with regard to reversion of the 4th respondent) by the petitioner school on 28.08.2015.

For Petitioner : Mr.K.H.Ravikumar

For Respondents : Mr.V.Subbiah, Spl.G.P.

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner institution states that it is an Aided Middle School taking classes from standard I to VIII. There are nearly 350 students studying in the school and they are receiving grant-in-Aid from the Government of Tamil Nadu. The petitioner would further state that the fourth respondent was promoted to the post of Headmaster on 03.10.2013 due to the superannuation of one R.Gajalakshmi on 01.06.2013. The promotion of the fourth respondent was also approved by the second respondent vide proceedings in Moo.Moo.No.4326/Aa4/2013 dated 10.10.2013.

3. It is further stated by the petitioner that in the light of the receipt of several complaints against the fourth respondent, the petitioner-school has issued a memo dated 16.6.2015 calling for explanation from the fourth respondent. Since she did not respond to the memo, a resolution was passed by the School Committee on 23.7.2015 deciding to revert the fourth respondent from the post of Headmaster to that of Tamil Pandit. The said proposal was sent to respondents 2 and 3 for approval. The third respondent has returned the said proposal on 24.7.2015 seeking certain clarification. The petitioner has clarified the same and re-submitted the proposal on 28.8.2015 to the second respondent.

4. The grievance now expressed by the petitioner is that since no orders have been passed on the proposal submitted to the second respondent, they came forward to file the present Writ Petition.

5. Heard the submissions of the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

6. This Court, in the light of the facts and circumstances of the case and taking into consideration the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, directs the second respondent to consider and pass orders on the proposal submitted by the petitioner for reversion of the fourth respondent on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after putting on notice the fourth respondent and communicate the decision taken to the petitioner as well as to the fourth respondent.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sl

To

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 06.
 2. The District Elementary Education Officer,
Vellore - 04.
 3. The Assistant Elementary Education Officer,
Walajah East,
Ranipet - 632 401.
- 1 CC to Mr.K.H.Ravikumar, Advocate SR.No. 48574
- 1 CC to the Government Pleader, SR.No. 49008

Writ Petition No.28118 of 2015

NM (CO)
PSI (29.09.2015)

सत्यमेव जयते

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