

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.2.2012

C O R A M :

THE HONOURABLE MR.M.Y.EQBAL, THE CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.A.No.2392 of 2011
and
M.P.No.1 of 2011

The Secretary
Ambalavanar Araporuppu Ayam,
Walajabad, Kancheepuram.

... Appellant/1st Respondent/
Petitioner

-vs-

1.Tmt.K.Renuka

... 1st Respondent/Review/
3rd Party

2.The Director of School Education,
College Road,
Chennai-600 006.

3.The Chief Educational Officer,
Kancheepuram.

4.The District Educational Officer,
Kancheepuram.

... Respondents/Respondents 2to4
Respondents 2to 4

PRAYER : Appeal filed under Clause 15 of the Letters Patent against the order dated 21.10.2011 made in Review Application No.95 of 2011 in W.P.No.13305 of 2011 on the file of this Court.

Review Application No.95/2011: Review application filed under 47 Rule 1 of civil procedure code to review the order of this court dated 14.06.2011 in W.P.No.13305 of 2011.

W.P.No.13305 of 2011: Petition filed under Article 226 of the constitution of India praying this court directing the respondent herein to grant approval to the school committee of M/s. W.T. Masilamani Mudaliar Higher Secondary school, Welajabad for the period

2011 to 2014 established by the petitioner as per the representation submitted on 18.05.2011 with necessary rectification caused in resolution dated 18.05.2011 and submitted before the authorities on 18.05.2011.

For appellant : Mrs.G.Thilakavathi

For respondents : Mr.R.Thiagarajan, SC for
Mr.S.Giridharan for R1
Mr.S.Venkatesh, GP for R2 to R4

J U D G M E N T

(JUDGMENT OF THE COURT WAS DELIVERED BY THE
HON'BLE CHIEF JUSTICE AND T.S.SIVAGNANAM, J.)

This writ appeal is directed against the impugned order, dated 21.10.2011 passed by the learned Single Judge in Review Application being Review Application No.95 of 2011 seeking review of the order, dated 14.6.2011 passed in W.P.No.13305 of 2011.

2. After hearing the learned counsel appearing for the parties, we dispose of this review petition with some modification in paragraph 5 of the order to the extent that if the second respondent - Director of School Education has received the representation, dated 03.6.2011, he shall refer the dispute raised by the first respondent/review petitioner for settlement to the Civil Court in respect of the right of the first respondent/review petitioner to become a Member of the Educational Agency. It is made clear that we have not expressed any opinion on the merits of the impugned order. Needless to say that the first respondent/review petitioner or any person interested may raise all the points before the Civil Court.

3. The writ appeal is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. However, there will be no order as to costs.

Sd/
Asst. Registrar

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Sub Asst.Registrar

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To

1. The Director of School Education,
College Road,
Chennai-600 006.

2. The Chief Educational Officer,
Kancheepuram.

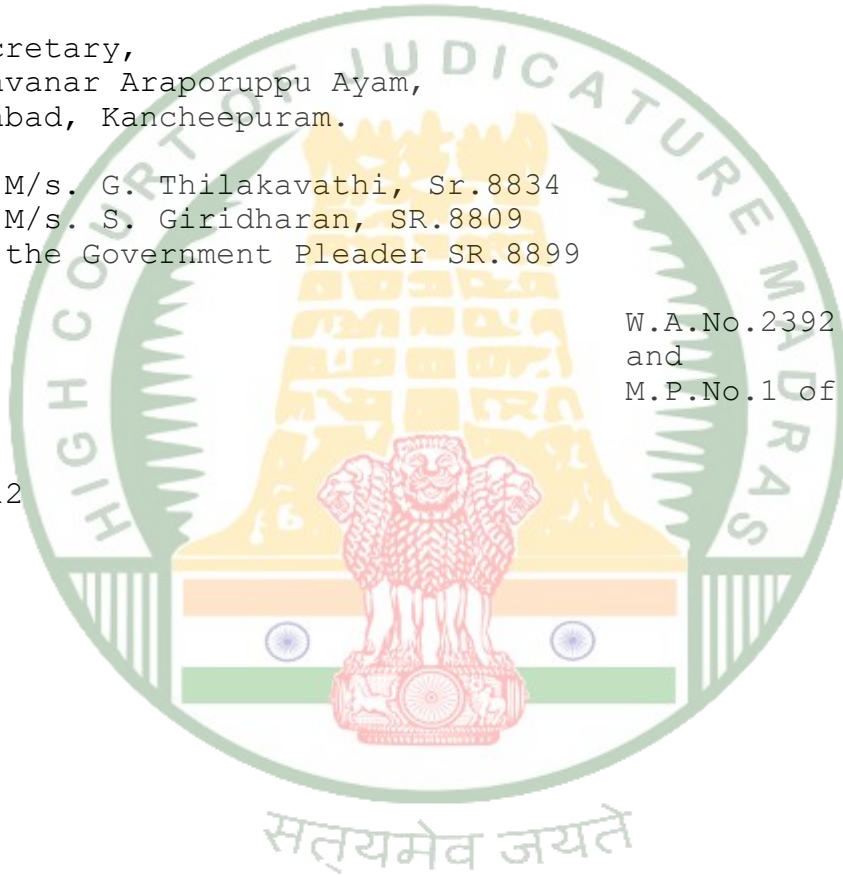
3. The District Educational Officer,
Kancheepuram.

4. The Secretary,
Ambalavanar Araporuppu Ayam,
Walajabad, Kancheepuram.

+ 1 cc to M/s. G. Thilakavathi, Sr.8834
+ 1 cc to M/s. S. Giridharan, SR.8809
+ 1 cc to the Government Pleader SR.8899

W.A.No.2392 of 2011
and
M.P.No.1 of 2011

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