

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.22826 of 2016

Rev.K.Victor

... Petitioner

Vs.

1 The District Collector,
Vellore District,
Vellore.

2 The District Educational Officer,
Thiruppathur,
Vellore District.

3 The District Elementary Educational Officer,
Vellore District,
Vellore.

4 The District Educational Officer,
Krishnagiri District,
Krishnagiri.

5 The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.

6 Rev.C.Ellappanprasad

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2 to 5 respondents to proceed further on the Show Cause Notice No. Na. Ka. No.3751/A1/2015 dated 25.05.2016 and dispose the same within a stipulated period of time.

For Petitioner

: Mr.B.Gopala Krishnan

For Respondents

: Mr.R.Govindasamy for R1 to R5

Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would submit that the sixth respondent has filed a suit in O.S.No.2666 of 2014 on the file of the IV Assistant City Civil Court, Chennai for declaration, declaring the election conducted by the Election Commissioner Benjamin Franklin, electing the defendants 2 to 4 as null and void and pending disposal of the same, filed I.A. for interim injunction and it was dismissed, so also the appeal in C.M.A.No.64 of 2015 in the Court of XVII Additional City Civil Court and subsequently, the suit itself came to be withdrawn. The petitioner thereafter, gave a representation on 01.07.2015 and 11.03.2016 to give effect to the result of the election by recognizing the elected committee and all of a sudden, the second respondent has issued a show cause notice dated 25.05.2016, calling upon the petitioner to give explanation as to why interim arrangement to appoint secretary to the education committee interim cannot be invoked and the petitioner in response to the same, submitted explanation dated 30.05.2016 and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Mr.B.Gopala Krishnan, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 5.

4.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's explanation dated 30.05.2016 to the show cause notice dated 25.05.2016, in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

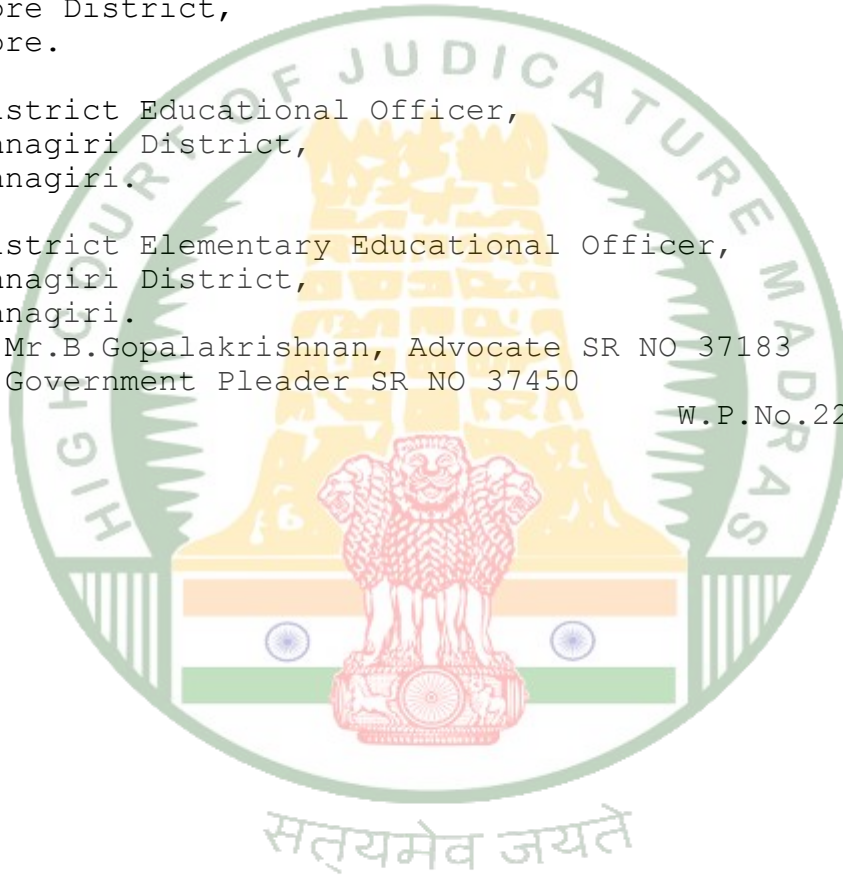
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To

- 1 The District Collector,
Vellore District,
Vellore.
 - 2 The District Educational Officer,
Thiruppathur,
Vellore District.
 - 3 The District Elementary Educational Officer,
Vellore District,
Vellore.
 - 4 The District Educational Officer,
Krishnagiri District,
Krishnagiri.
 - 5 The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.
- + 1 cc to Mr.B.Gopalakrishnan, Advocate SR NO 37183
+ 1 CC to Government Pleader SR NO 37450

W.P.No.22826 of 2016

RJ[CO]
KR/15.7.



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