

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.6581 of 2016

S.Poominathan

... Petitioner

vs.

- 1.The Director of School Education,
DPI Compound, College Road,
Chennai 600 006.
- 2.The District Collector,
Nagapattinam District,
Nagapattinam.
- 3.The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.
- 4.The Head Master,
Government Higher Secondary School,
Thagattur, Vedaranyam Taluk,
Nagapattinam District. ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 2 and 3 to conduct the election in Parents and Teachers Association of the fourth respondent school based on the representation of the petitioner dated 28.12.2015 within stipulated time that may be fixed by this court.

For Petitioner : Mr.R.Murugabharathi

For Respondents : Mrs.P.Rajalakshmi, GA

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing respondents 2 and 3 to conduct the election of the Parents and Teachers Association in the fourth respondent school, based on his representation dated 28.12.2015 within a stipulated time that may be fixed by this court.

2. It is the case of the petitioner that he is the Vice President of the Parents and Teachers Association in the fourth respondent school, which is under the control of the third respondent. In the year 2010, Parents and Teachers Association election was conducted by the fourth respondent school and one Amirthakadeswaran was elected as President. In the year 2013, the son of the said Amirthakadeswaran completed his school education. Even thereafter, Amirthakadeswaran is continuing the post of President and he colluded with the fourth respondent and they have misappropriated the funds of the Association. In this regard, the Ex-president of Village Panchayat by name Vairappan made representations dated 08.07.2013, 17.07.2015 and 28.12.2015 to the respondents 2 and 3, requesting to conduct the election of the Parents and Teachers Association in the fourth respondent. The petitioner also made a representation dated 28.12.2015. However, till date, no action has been taken by the respondents 2 and 3. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Government Advocate, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the third respondent to consider the representation of the petitioner dated 28.12.2015, by affording an opportunity of personal hearing to the petitioner as well as to the fourth respondent and other necessary parties, if any and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the third respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

rk

To

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

2.The District Collector,
Nagapattinam District,
Nagapattinam.

3.The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

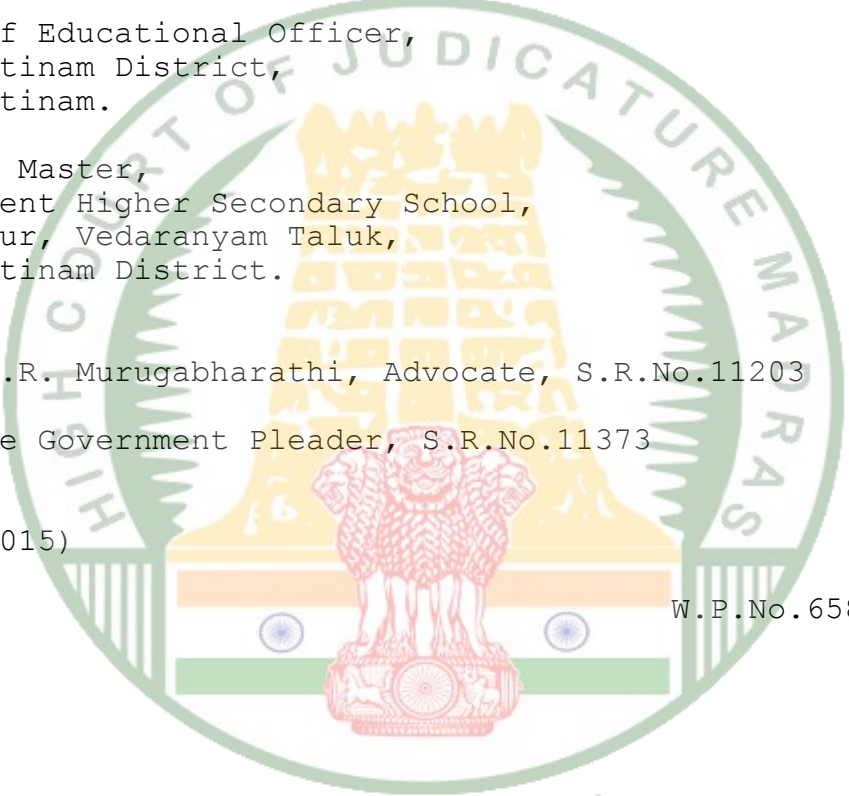
4.The Head Master,
Government Higher Secondary School,
Thagattur, Vedaranyam Taluk,
Nagapattinam District.

+1cc to Mr.R. Murugabharathi, Advocate, S.R.No.11203

+1cc to the Government Pleader, S.R.No.11373

JSV(CO)
EU(26/02/2015)

W.P.No.6581 of 2016



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