



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2016

CORAM :

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THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO

W.A. (MD) No.939 of 2016
and
C.M.P (MD) No.5629 of 2016

- 1.P.Athisayam
- 2.S.Reena Mary
- 3.Alice Geetha
- 4.P.Valliammal
- 5.A.Vimala Devi
- 6.M.Sundararaj
- 7.R.Edison
- 8.A.Arul Stephen
- 9.C.Rajkumar
- 10.N.Selvakumar
- 11.G.Jayaseelam
- 12.V.Selvaraj
- 13.J.Jebarani
- 14.J.Mariyapredeeparani
- 15.R.Shinola Jeba Kumari
- 16.T.Jein Thavamani
- 17.S.Elizabeth Rani
- 18.V.Pushpa Thres
- 19.G.Epsibah Nalini
- 20.A.Caroline Anbumary
- 21.S.Roselin Mary
- 22.Daphne Christena
- 23.T.Mercy Rita
- 24.G.D.Jerry
- 25.P.Dhandapani
- 26.K.Duraisamy
- 27.K.Rajaram
- 28.N.Rosilin Mary

... Petitioners/Appellants

Vs.

- 1)The Chief Educational Officer ,
Dindigul District, Dindigul.

<https://hcservices.ecourtts.gov.in/hcservices/>
2)The District Educational Officer,
Palani, Dindigul District.



3)C.Kezi Selva Vijila

... Respondents/Respondents

Appeal filed under Clause 15 of the Letter Patent Act, against the order dated 07.07.2015 passed in W.P(MD)No.20365 of 2015.

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Prayer in WP(MD). 20365/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus forbearing the respondents 1 and 2 from granting approval to the appointment proposal of the 3rd respondent until the disposal of the enquiry against the 3rd respondent for collecting money from students.

For Appellant : Mr.T.Lajapathi Roy
For R.1&2 : Mr.A.K.Baskara Pandian
Spl.Govt.Pleader

JUDGMENT

(Judgment of the Court was delivered by **The Hon'ble The Chief Justice**)

The grievance before the learned single Judge qua the functioning of the third respondent aided school was two fold:-

(i)Whether the person functioning as Correspondent, who was also holding the post of Principal of an Engineering College, could so function?

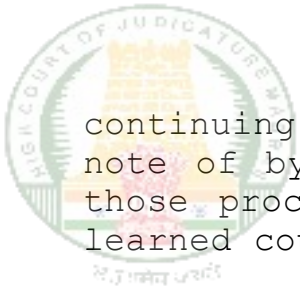
(ii)Whether some amounts have been improperly collected from the students?

2.Learned Single Judge has rightly relegated the second aspect to the Fee Committee, as constituted for the said purpose, with which the appellant had no quarrel.

3.In respect of the first aspect also it cannot be doubted as that issue has to be examined by the concerned Education Officer as directed by the learned single Judge and the Fee Committee is not required to look into that aspect.

4.The only contention advanced by the learned counsel for the appellants before us is that before the Fee Committee, the same management would be representing the school.

5.We do not find any merit in this plea for the reason that if the appellants or other affected parties approach the Fee Committee, naturally both sides would have to be heard. The issue as to the validity of Principal of an Engineering College



continuing as a Correspondent of a school would naturally be taken note of by the Education Officer and we see no reason as to why those proceedings should be kept in abeyance, as pleaded by the learned counsel for the appellants.

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6. Accordingly, this writ appeal stands dismissed. No costs. Consequently, C.M.P (MD) No. 5629 of 2016 is closed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1) The Chief Educational Officer ,
Dindigul District, Dindigul.

2) The District Educational Officer,
Palani, Dindigul District.

+ 1 CC TO M/S.T.LAJAPATHI ROY, ADVOCATE IN SR No. 29739/16

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 29794

SMS/SSM

TE/ARK-PV/ : 27/06/2016 : 3P/5C

W.A. (MD) No. 939 of 2016
and

C.M.P (MD) No. 5629 of 2016
10.06.2016