



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2016

CORAM :

THE HONOURABLE MR.JUSTICE **NOOTY.RAMAMOHANA RAO**

and

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Writ Appeal (MD) No.954 of 2016
& C.M.P(MD)No.5745 of 2016

1.Thoothukudi Nazareth Diocese

Rep. By its Manager,
High Schools/Higher Secondary Schools,
Caldwell Higher Secondary School Campus,
Beach Road, Thoothukudi - 1.

2.The Correspondent,

St. Michaels' Higher Secondary School,
Mudalur-628 702,
Thoothukudi District.

3.Mr.I.Paul Asir,

Correspondent,
St. Michaels' Higher Secondary School,
Mudalur-628 702,
Thoothukudi District.

... Appellants/Respondents 3 to 5

-Vs-.

1.S.Merriton Zachariraj,

P.G. Assistant (Chemistry),
St. Michaels' Higher Secondary School,
Mudalur - 628 702,
Thoothukudi District

... 1st Respondent / Petitioner

2.The Chief Educational Officer,

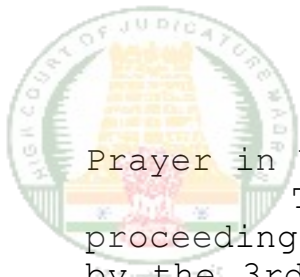
O/o Chief Educational Office,
Devapuram Road,
Thoothukudi.

3.The District Educational Officer,

O/o The District Educational Office,
Devapuram Road,
Thoothukudi.

... Respondents 2&3 /Respondents 1 and 2

Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 06.06.2016 passed in W.M.P.No.7835 of 2016 in Writ Appeal (MD) No.954 of 2016 on the file of this Hon'ble Court by allowing this appeal.



Prayer in WMP(MD). 7835/ 2016 :

To grant an order of Ad-Interim stay of all further proceedings in pursuant to the impugned order of transfer passed by the 3rd Respondent in his proceedings No. NIL dated 31.05.2016 and the consequential relieving order passed by the 4th Respondent in his proceedings No. NIL dated 01.06.2016 pending disposal of the above WP.

Prayer in WP(MD). 9931/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records in pursuant to the impugned order of transfer passed by the 3rd Respondent in his proceedings No. NIL dated 31.05.2016 and the consequential relieving order passed by the 4th Respondent in his proceedings No. NIL dated 01.06.2016 and quash the both as illegal and ultravires.

For Appellants : Mr.T.A.Ebenezer

For Respondents : Mr.VR.Shanmuganathan

2 and 3 Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **NOOTY.RAMAMOHANA RAO, J**)

After generating considerable amount of debate at the bar, the learned counsel for the appellants seeks permission to withdraw the Writ Appeal with liberty to approach the learned Single Judge seeking vacation of the *ex parte* interim order passed in the matter. Preserving the liberty, the Writ Appeal stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Educational Officer,
O/o The Chief Educational Officer,
Devapuram Road, Thoothukudi.

2.The District Educational Officer,
O/o The District Educational Officer,
Devapuram Road, Thoothukudi

+1cc to Spl.Government pleader Sr.No.30584

srm

AA/SKS-RR/24.06.2016/2p-4c

Writ Appeal (MD) No.954 of 2016

14.06.2016