



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA**W.P(MD) No.19458 of 2016**

WEB COPY

N.Sangeetha

... Petitioner

-vs-

1.The District Educational Officer,
District Educational Office,
Devakottai,
Sivagangai District.

2.The Secretary,
Jenyamkonda Vinayagar High School,
Natchiyapuram,
Tirupathur Taluk,
Sivagangai District.

3.The Head Master,
Jenyamkonda Vinayagar High School,
Natchiyapuram,
Tirupathur Taluk,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent Nos.2 and 3 to return the petitioners original educational certificates namely 1) 10th standard mark sheet 2) 12th standard mark sheet 3) B.A. English 6th semester mark sheet 4) B.A. Provisional Certificate 5) B.A. Convocation Certificate 6) B.Ed Convocation Certificate within the time period stipulated by this Court.

For Petitioner	: Mr.T.Lajapathi Roy
For Respondents	: Mrs.S.Bharathi
	Government Advocate

O R D E R

This Writ Petition has been filed for the issuance of a writ of mandamus, directing the respondents 2 and 3 to return the original educational certificates namely, 10th standard mark sheet, 12th standard mark sheet, B.A. English 6th semester mark sheet, B.A. Provisional Certificate, B.A. Convocation Certificate and B.Ed



Convocation Certificate.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents. Having regard to the limited prayer, notice to the respondents 2 and 3 is dispensed with.

3. The petitioner was working as B.T. Assistant (English) in Jeyamkonda Vinayagar High School, Natchiyarpuram, Tirupathur Taluk, Sivagangai District. As the marriage of the petitioner was fixed and she wanted to settle in abroad, she submitted her resignation letter along with a request to return the original educational certificates. But it was refused by the Secretary of the said school. The Secretary has imposed a condition that the petitioner should withdraw WP(MD)No.19008 of 2013, in which, non grant of approval was under challenge. As per the condition imposed by the Secretary, the case has also been withdrawn and even thereafter, the original certificates were not returned to the petitioner.

4. It is represented by the learned counsel for the petitioner that the resignation submitted by the petitioner was accepted and she has been relieved from the school.

5. Under such circumstances, there is no justification for the authorities to keep the certificates with them and to have driven the petitioner to this Court. Therefore, the respondents 2 and 3 are directed to return the certificates as mentioned supra to the petitioner within a period of one week from the date of receipt of a copy of this order. If it is not returned, it is the duty of the first respondent to ensure that the order of this Court is complied with by the respondents 2 and 3.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Educational Officer,
District Educational Office,
Devakottai, Sivagangai District.

2. The Secretary,
Jeyamkonda Vinayagar High School,
Natchiyapuram, Tirupathur Taluk,
Sivagangai District.



3.The Head Master,
Jenyamkonda Vinayagar High School,
Natchiyapuram,
Tirupathur Taluk,
Sivagangai District.

+1 CC TO M/S.T.LAJAPATHI ROY, ADVOCATE IN SR.NO.59662
+1 CC TO THE SPECIAL GOVERNMENT PLEADER IN SR.NO.60552

MJ
SMA/SKS-RR/SAR-I/07.10.2016 :3P/6C

W.P (MD) No.19458 of 2016
06.10.2016