



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A (MD) No.1441 of 2015
and
M.P. (MD) No.1 of 2015

The Secretary,
Hindu Middle School,
Rajapandi,
Tirunelveli District.

.. Appellant/3rd Respondent.

Vs.

1.V.Jansi Rani

..1st Respondent/Petitioner.

2.The District Elementary Educational Officer,
Tirunelveli.

3.The Additional Assistant Elementary Educational Officer,
Keelapavoor @ Pavoorchathiram,
Tirunelveli District.

..Respondents 2 &3/Respondents 1& 2

PRAYER: This Writ Appeal is filed under Clause 15 of Letters Patent, against the order passed by Honourable Mr. Justice D.Hariparanthaman made in W.P.No.21376 of 2015 dated 01.12.2015.

Prayer in WP(MD). 21376/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF MANDAMUS directing the 3rd respondent to give NOC to the petitioner to pursue B.Ed., and enter the same in the service register of the petitioner.

For Appellant :Mr.T.S.R.Venkataramana
For 1st Respondent :Mr.V.Panneerselvam

J U D G M E N T

[JUDGMENT of the Court was made by G.R.SWAMINATHAN, J.]

This writ appeal is directed against the order dated 01.12.2015 in W.P.(MD)No.21376 of 2015 whereby the appellant was directed to issue no objection certificate in favour of the writ petitioner to enable her to pursue B.Ed., course.



2.The grievence of the appellant is that this order was passed at the admission stage. The appellant was not put on notice before passing the impugned order. We find that the grievance of the appellant is well bounded.

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3.The learned Judge ought not to have issued a direction against the appellant without hearing the appellant. Therefore we hold that the order dated 01.12.2015 was not correctly passed. However the learned counsel for the appellant fairly submitted that already they issued No Objection Certificate to the writ petitioner and that the said No Objection Certificate would not be withdrawn. This submission is placed on record. Therefore there is no need to interfere with the order made in the writ petition.

4.This writ appeal is disposed of with the above said observation. No costs. Consequently, connected M.P.(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The District Elementary Educational Officer,
Tirunelveli.

2.The Additional Assistant Elementary Educational Officer,
Keelapavoor @ Pavoorchathiram,
Tirunelveli District.

+1CC to Mr.T.S.R.Venkat Ramana, Advocate, SR.No. 73986

+1CC to Mr.V.Panneer Selvam, Advocate, SR.No.74417

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and

M.P. (MD)No.1 of 2015
22.08.2017

vsg

AM/SKN RSK/SAR 1/15.11.2017/2P/5C