



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 05.09.2017
CORAM
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P(MD)No.6132 of 2011

and
M.P(MD)Nos.1 and 2 of 2011

WEB COPY

Mrs.Jackuline,
Vocational Instructor,
K.D.V.P.Govt.Girls Higher Secondary School,
Kottar, Kanyakumari District.

..Petitioner

Vs

1.The Joint Director(Vocational),
Director School Education,
College Road, Chennai - 8.

2.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

3.The Headmaster
K.D.V.P.Govt.Girls Higher Secondary School,
Kottar, Kanyakumari District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from discontinuing the Food Management and Child Care course in the Higher Secondary School level in the third respondent school and consequently to direct the respondents to allow the Higher Secondary Ist year students to continue the same course in Second year of Higher Secondary Course and direct them to publish the Higher Secondary first year results within the period stipulated by this court.

For Petitioner :Mr.A.Nawas Khan
for M/s.M.Ajmal Khan
For Respondents :Mr.A.Muthukaruppan
Addl.Govt.Pleader

ORDER

The prayer in the Writ Petition is for issuance of a Writ of Mandamus forbearing the respondents from discontinuing the Food Management and Child Care course in the Higher Secondary School level in the third respondent school and consequently to direct the respondents to allow the Higher Secondary Ist year students to continue the same course in Second year of Higher Secondary Course and direct them to publish the Higher Secondary first year results within the period stipulated by this court.

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2.Heard Mr.A.Nawaz Khan, learned counsel for the Petitioner
and Mr.A.Muthukaruppan, learned Additional Government Pleader



appearing for the respondents and perused the materials placed before this Court.

3.The Petitioner was appointed as Vocational Instructor by the Educational Department and he had been working in the third respondent-school for more than 22 years. He filed this Writ Petition contending that if the course already offered in the third respondent-school is closed, she will be declared as a surplus staff and she will be deployed some-where else.

4.The fourth respondent filed a counter stating that in view of G.O.Ms.277, dated 26.10.2009, Food Management and Child Care course was closed and the students, who were studying in 11th standard opted different course to pursue their Higher Secondary Course and this Writ Petition is filed only to avoid her transfer from the third respondent/School.

5.It is not in dispute that the Petitioner is working in the third respondent/school and this Writ Petition is filed for a direction to the third respondent to continue the Food Management and Child Care course.

6.The Petitioner has no legal right to continue in the third respondent/school and ask for a direction to the authorities to continue the same course.,In the light of the above fact, this Court is of the view that the Petitioner is not entitled for the relief as sought for in the present Writ Petition.

7.Accordingly, the Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Joint Director(Vocational), Director School Education,
College Road, Chennai - 8.
 - 2.The Chief Educational Officer,Nagercoil, Kanyakumari District.
 - 3.The Headmaster,K.D.V.P.Govt.Girls Higher Secondary School,
Kottar, Kanyakumari District.
- +1CC to M/S.Ajmal Associates, SR.No. 76908
+1CC to the Special Government Pleader SR.No. 77328

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