

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.7.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.1405 of 2018

Swamy Renugal Middle School
Rep by its Correspondent
Viswanathaperi - 627 763
Sivagiri Taluk Tirunelveli District ...Appellant/Petitioner

Versus

- 1 The Secretary to Government
Government of Tamil Nadu
Fort St. George Chennai-600 009
- 2 The Director of Elementary
Education College Road
Nungambakkam Chennai-600 006
3. The District Elementary
Educational Officer,
Tirunelveli-1.
- 4 The Additional Assistant
Elementary Educational Officer
Vasudevanallur
Tirunelveli District ...Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 26.4.2018 passed in W.P.No.10745 of 2018 on the file of this court.

Prayer in WP.No.10745 of 2018:

Petition filed under Article 226 of the constitution of India to issue of Writ of Mandamus directing the respondents 1 and 2 to grant relaxation of five years experience to the appointment of Mrs.V.Jevitha as the Middle School Headmaster in the petitioners school

For appellant : Mr.L.Chandrakumar

For respondent : Mr.C.Munusamy
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.C.Munusamy, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. The writ appeal is filed by the writ petitioner-School challenging the order passed by the learned Single Judge in dismissing the writ petition.

3. It appears that the appellant/writ petitioner-School had sought for approval of the promotion given to one Mrs.V.Jevitha as Middle School Headmistress in their school by relaxing the five years experience in the post of Graduate Teacher and since the same was not considered, the writ petition came to be filed.

4. We find that the learned Single Judge, having elaborately discussed on the issue of rule of relaxation in the light of decisions of the Apex Court and opined that rule of relaxation is stipulated not to extend favouritism and nepotism, negatived the claim of the appellant. We do not find any reason to interfere with the order passed by the learned Single Judge. The writ appeal is dismissed. No costs.

Sd/-

Assistant Registrar (CS-VII)

// True Copy//

Sub Assistant Registrar

To:

- 1 The Secretary to Government
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Vasudevanallur Tirunelveli District

+1cc to Mr.R.Kamaraj, Advocate SR.No.44809

+1cc to Government Pleader SR.No.45729

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NMI (CO)
SMI/29.08.2018