

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.34279 of 2017
and W.M.P.No.38158 of 2017

G.Ammayee

... Petitioner

Versus

- 1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 034.
- 2.The District Elementary Education Officer,
Villupuram.
- 3.Tmt.A.Latchanadevi,
Correspondent,
Aided Elementary School,
Seppatti Post,
Gingee Taluk,
Villupuram District - 604 152.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, directing the respondents 1 and 2 to consider the representations of the petitioner dated 27.10.2017 and 12.12.2017 and consequently direct the respondents to cancel the order of approval granted in favour of the third respondent vide the proceedings of the second respondent in Pa.Mu.No.4436/A4/2016, dated 26.12.2016 as the Manager/Educational Agency of the Aided School, Seppatti, Gingee Taluk, Villupuram District on the ground that the same has been fraudulently obtained.

For Petitioner : Mrs.Dakshyani Reddy

For R1 and R2 : Mr.A.Raja Perumal,
Additional Government Pleader

For R3 : No Appearance

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents 1 and 2 to conduct an enquiry with respect to the appointment of the third respondent as the Correspondent/Manager of the Aided School, Seppatti, Gingee Taluk, Villupuram District.

2 The Petitioner states that the Aided Elementary School, Seppatti, Gingee block, Villupuram District was originally administered by her husband till 1994 and that subsequently the management was handed over to the petitioner's elder son by name Kumar by proceedings of the second respondent dated 04.08.1995.

3. The petitioner further states that she has three sons and that one of the son who was managing the school by name Kumar passed away. Though, the petitioner wanted her other two sons to manage the school stated that the third respondent clandestinely and fraudulently created documents as if the members of the educational agency including the petitioner convened a meeting and appointed the third respondent as a correspondent of the school. Since, the approval has been granted by the second respondent for the appointment of third respondent as Correspondent on the basis of the fraudulent record, it is stated that the petitioner as a member of educational agency has submitted a representation to take action against the third respondent and to cancel the approval granted for the appointment of the third respondent as Correspondent/Manager of the school.

4. The learned Counsel appearing for the petitioner produced before this Court, the proceedings of the educational officer dated 07.08.2018, which is a show cause notice issued seeking explanation from the third respondent indicating that the school has been administered without proper approval in accordance law. Sum and substance it is seen that action has been initiated against the third respondent who is continuing as the Correspondent/Manager of the school without being properly appointed as Correspondent by the educational Agency and without valid approval.

5. Recording the fact as turn out from the notice dated 07.08.2018, this writ petition is closed. After giving adequate opportunity to the respondent as well as the petitioner with regard to their respective contentions regarding the validity of appointment of the third respondent as the Correspondent, the second respondent is directed to conduct an enquiry and complete the proceedings and pass appropriate orders on merits and in accordance with law, within a period of four months from the

date of receipt of a copy of this order. No Costs. Consequently, the connected Writ Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rpl/arb

To

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 034.

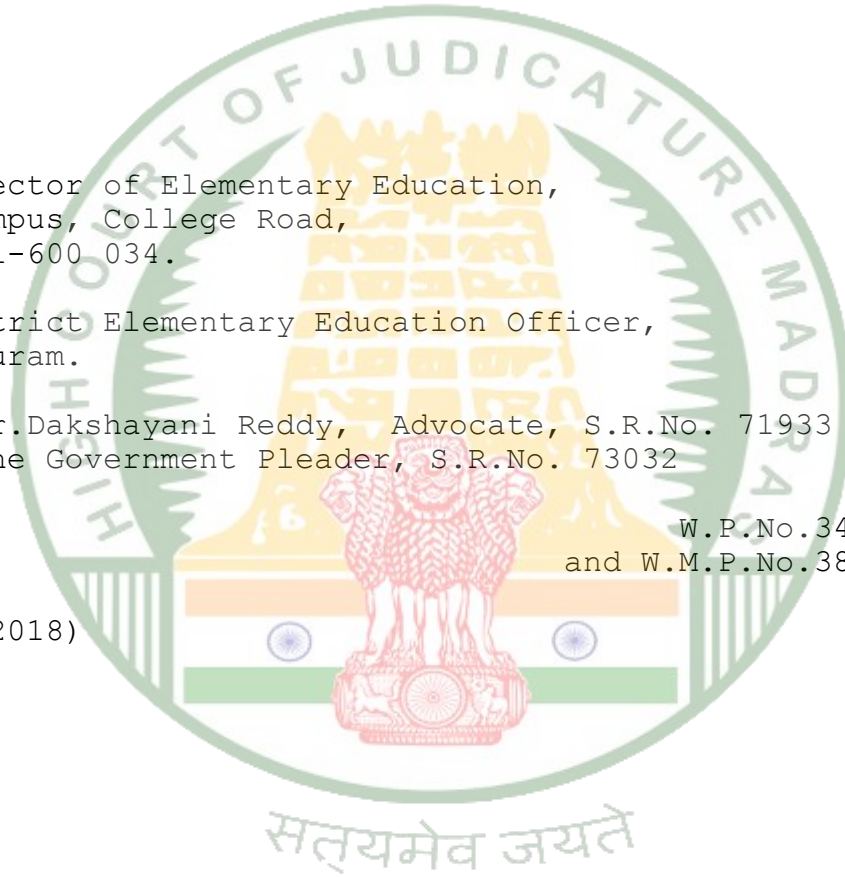
2.The District Elementary Education Officer,
Villupuram.

+lcc to Mr.Dakshayani Reddy, Advocate, S.R.No. 71933

+lcc to the Government Pleader, S.R.No. 73032

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PA(CO)
GN(12/11/2018)



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