



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.5343 of 2018

A.Amanullah

... Petitioner

Vs.

1.The Joint Director of School Education (Elementary),
College Road,
Chennai.

2.The District Elementary Educational Officer,
Palani Road,
Dindigul.

3.The Mathanisha Muslim Primary School,
Palani,
Dindigul,
Rep. by its Correspondent.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider my representation dated 21.02.2018 seeking for speedy disposal of my appeal dated 15.06.2011 preferred against the order of punishments and pass suitable orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner

:Mr.M.E.Ilango

For R1 and R2

: Mr.Jeyakumar

Additional Government Pleader

ORDER

The petitioner was originally employed in the third respondent school as a Headmaster. The third respondent is a minority institution. The petitioner was reverted from the post of Headmaster to the post of Assistant Teacher. Challenging the same, the petitioner earlier filed W.P.(MD)No.2831 of 2011. During the pendency of the writ petition, the petitioner got terminated. Challenging the order of termination, the petitioner filed an appeal before the departmental authority. Since the said appeal is pending for a long time, the petitioner has filed the present writ petition seeking direction to the appellate authority to dispose of the appeal.



2.The learned counsel appearing for the petitioner drew the attention of this Court, by order dated 14.02.2018 in W.P. (MD)No.2831 of 2011, wherein this Court, gave a direction for disposal of the appeal filed by the petitioner.

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3.It is submitted that as against the order of punishment imposed by school management, no appeal remedy is available according to law and the remedy of filing writ petition alone is the only remedy to the petitioner. Therefore, the writ petition is dismissed. However, liberty is granted to the petitioner to file a fresh writ petition questioning the order of termination dated 21.05.2011. No costs.

Sd/
Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Joint Director of School Education (Elementary),
College Road,
Chennai.

2.The District Elementary Educational Officer,
Palani Road,
Dindigul.

+1cc to Mr.M.E.ILANGO, Advocate, SR.No.55381

+1cc to M/s.Special Government Pleader,SR.No. 55662

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14.03.2018

RMI

KK/SV MMS/14.05.2018/SAR-2/2P-5C