

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.06.2018

CORAM:**THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.12285 of 2018**

Dr.S.Venkatesan, M.Phil.Phd.,
BT Assistant (Maths),
Government Girls Higher Secondary School,
Y-Othakadai,
Madurai District.

...Petitioner

Vs.

- 1) The Director,
Government Examinations,
O/o Government Examinations,
Chennai.
- 2) The Joint Director, (Personnel),
Government Examinations,
O/o Government Examinations,
Chennai.
- 3) The District Collector,
Madurai District,
Madurai.
- 4) The Chief Educational Officer,
Madurai District,
Madurai.
- 5) The District Educational Officer,
Madurai District,
Madurai.
- 6) Mr.S.Murugan,
BT Assistant (Science),
Government High School,
Karuppatti,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to dispose the petitioner's representation dated 27.04.2018.



For Petitioner : Mr.V.Sankaranarayanan

For Respondents : Mr.D.Muruganandham,
Additional Government Pleader.

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O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the 4th respondent to dispose the Petitioner's representation dated 27.04.2018.

2. Heard Mr.V.Sankaranarayanan, learned counsel appearing for the petitioner and Mr.D.Muruganandham, learned Additional Government Pleader appearing for the respondents.

3. The petitioner, being a teacher working in Government Girls Higher Secondary School, Y-Othakadai, Madurai District, has filed this Writ Petition, seeking to take action against the sixth respondent, who is also a Government school teacher. According to the petitioner, the sixth respondent, with the help of others, in front of the examination work hall, conducted Dharna by disturbing the petitioner and others from discharging their duties. Therefore, seeking for legal action against the erring persons, including the sixth respondent, the petitioner has approached this Court by filing this writ petition.

4. Insofar as the said grievance of the petitioner is concerned, if at all the petitioner's job of examination is hindered by anyone, including the sixth respondent, it is nothing but a criminal act, for which, the petitioner is very much entitled to make a police complaint and if such complaint is given, the police will take action in accordance with law. The said issue therefore, cannot be construed as a service dispute of the petitioner. Therefore, this Court cannot entertain this Writ Petition under the service jurisdiction by invoking Article 226 of the Constitution of India.

5. Accordingly, this Writ Petition is dismissed. However, it is open to the petitioner to redress his grievance in the manner known to law. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1) The Director,
Government Examinations,
CO Government Examinations,
Chennai.



2) The Joint Director, (Personnel),
Government Examinations,
O/o Government Examinations,
Chennai.

WEB COPY

3) The District Collector,
Madurai District, Madurai.

4) The Chief Educational Officer,
Madurai District, Madurai.

5) The District Educational Officer,
Madurai District, Madurai.

+ 1 cc TO Mr.V.Sankara Narayanan , Advocate in SR No. 67441

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AE/SV MMS/SAR1/28.06.2018/3P/7C

Order made in
W.P. (MD) No.12285 of 2018
08.06.2018