



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 23191 of 2015

and

M.P (MD) No. 2 of 2015 and W.M.P (MD) No. 615 of 2016

M. Arunachalam

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
School Education Department,
Secretariat,
Chennai.

2. The Director of School Education,
O/o the Director of School Education,
D.P.I Complex,
Chennai.

3. The Chief Educational Officer,
O/o the Chief Educational Office,
Thanjavur District.

4. The District Educational Officer,
O/o the District Educational Office,
Kumbakonam,
Thanjavur District.

5. The Secretary,
Banadurai Higher Secondary School,
Kumbakonam,
Thanjavur District.

6. Mr. T.R. Swaminathan,
Secretary,
Banadurai Higher Secondary School,
Kumbakonam,
Thanjavur District.

7. N. Vijayasree

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the fifth respondent in his proceedings Nil dated 13.11.2015 and quash the same as illegal.



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For Petitioner : Mr.Md.Imran for
M/s Ajmal Associates

For Respondents : Mr.J.Gunaseelanmuthiah
AGP for R1 to R4

Mr.F.Deepak for R5 and R6

O R D E R

The petitioner is employed in Banadurai Higher Secondary School, Kumbakonam. When a vacancy arose for the post of Headmaster of the said school, the petitioner was made as In-charge Headmaster. Subsequently, by the impugned order dated 13.11.2015, he has been relieved from the said post. In his place, the 7th respondent herein was posted as In-charge Headmaster. This is challenged in this writ petition.

2.The learned counsel appearing for the writ petitioner would contend that the order impugned in this writ petition would amount to reversion.

3.This Court is unable to accept the said submission. The writ petitioner was never formally promoted to the substantive post of Headmaster. When the management made an adhoc arrangement to tide over the situation that arose in the interregnum period, the same will not confer any right on the writ petitioner. The learned counsel for the petitioner would point out that the impugned order is in fact stigmatic. This Court would *prima facie* agree with the said submission. Therefore, it is made clear that the impugned order relieving the writ petitioner from the post of Headmaster (in-charge) will not amount to casting any stigma on the writ petitioner. It is of course open to the Management to proceed against the writ petitioner in respect of the charge memo already issued against him.

4.With the said clarification, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

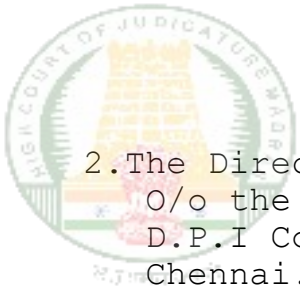
Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary,
The State of Tamil Nadu,
School Education Department,
Secretariat,
Chennai.



2.The Director of School Education,
O/o the Director of School Education,
D.P.I Complex,
Chennai.

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3.The Chief Educational Officer,
O/o the Chief Educational Office,
Thanjavur District.

4.The District Educational Officer,
O/o the District Educational Office,
Kumbakonam,
Thanjavur District.

+1cc to Mr.F.Deepak, Advocate, SR.No.58680

+1cc to M/s.Ajmal Associates, Advocate, SR.No.59209

+1cc to The Special Government Pleader, SR.No.59274

skn

RL/8C/3P/SV/MMS/SAR3/19/4/2018

W.P (MD) No.23191 of 2015

28.03.2018