



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.19695 of 2018
and
W.M.P. (MD) No.17471 of 2018

T.S.Kalyanasundaram

... Petitioner

vs.

1. The District Education Officer,
Tenkasi, Tirunelveli District.
2. I.C.Shunmugavelayutham,
S/o.Chidambaram,
The Secretary of 'The Ilanji Kalvi Sangam'
New Nilavagai House,
Madurai-Courtallam Road,
Ilanji, Tenkasi Taluk,
Tirunelveli District.
3. S.Ganthimathinathan,
S/o.Subramania Pillai,
'The Ilanji Kalvi Sangam',
Madurai-Courtallam Road,
Ilanji, Tenkasi Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records relating to the impugned notice dated 5.9.2018 issued by 2nd Respondent and quash the same.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondents: Mrs.S.Srimathy

Special Government Pleader for R1

Mr.V.Meenakshisundaram for R2 & R3

O R D E R

What is challenged in this writ petition is the Proceedings, dated 05.09.2018, issued by the second respondent, who is admittedly a private person.



2. According to the learned counsel appearing for the petitioner, while issuing the Proceedings, the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 have not been followed by the second respondent. However, what is put to challenge in this writ petition is only the Proceedings of the second respondent, who is admittedly a private person.

3. This Court is, therefore, of the considered view that the second respondent is not amenable to the writ jurisdiction of this Court. It appears that the petitioner has some grievances as against the second respondent in regard to the Secretaryship of the School, which dispute is purely civil in nature and therefore, it is certainly not open to the petitioner to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

4. In case the petitioner is aggrieved by any action of the second respondent, it is open to him to approach the competent Civil Court to sort out his grievances.

5. With the above observations, this writ petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

The District Education Officer,
Tenkasi, Tirunelveli District.

+ 1 CC TO Mr.B.RAJESH SARAVANAN, ADVOCATE IN SR No. 84447
+ 1 CC TO Mr.D.NALLATHAMBI, ADVOCATE IN SR No. 84139
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84341

KRK

TE/SV/SAR-4 : 10/10/2018 : 2P/5C

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