



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Tenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

WMP(MD) Nos.17895 to 17897 of 2018

IN

WP(MD) No.3856 of 2011, 9574 of 2010 and 15206 of 2011

RAYAGIRI THIRU C.P.ATHIHANAR GIRLS HIGH SCHOOL,
REPRESENTED BY ITS SECRETARY,
N. SELVARAJ

... PETITIONER/THIRD RESPONDENT
IN WMP(MD)Nos.17895,1796/2018
IN WP(MD)Nos.3856/2011 & 9574/2010

... PETITIONER/PETITIONER
IN WMP(MD)No.17897/2018 IN WP(MD)No.15206/2011

Vs

1 C. JAYA ... FIRST RESPONDENT/PETITIONER
IN WMP(MD)No.17895/2018 IN WP(MD)No.3856/2011

2 THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT.

3 THE DISTRICT EDUCATIONAL OFFICER,
TENKASI,
TIRUNELVELI DISTRICT.

... RESPONDENTS 2 & 3/RESPONDENTS
IN WMP(MD)No.17895/2018 IN WP(MD)No.3856/2011

1 THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT.

2 THE DISTRICT EDUCATIONAL OFFICER,
TENKASI,
TIRUNELVELI DISTRICT.

3 C.JAYA

... RESPONDENTS/RESPONDENTS
IN WMP(MD)Nos.17896,17897/2018
IN WP(MD)Nos.9574/2010 & 15206/2011



**COMMON PRAYER IN WMP(MD) Nos.17895 to 17897 of 2018 IN
WP(MD) No.3856 of 2011, 9574 of 2010 and 15206 of 2011:**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order substituting the name of Sangu Nadar, son of Chinna Madasamy in the place of erstwhile secretary of the school, N.Selvaraj in the cause title of the writ petition respectively.

Prayer in WP(MD).3856/2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 1st respondent in Na.Ka.No. 5847/AA 2/2010 dated 21/06/2010 and quash the same, as far as it denies the salary from 23/12/2003 to till dated is concerned, and direct the respondents to confer all the consequential benefits .

Prayer in WP(MD).9574/2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, calling for the records of the 1st Respondent issued in his proceedings Na.Ka.No.5847/B2/2010 dated 21-0-2010 and quash the same.

Prayer in WP(MD).15206/2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent in Na.Ka.No.5847/ Aa 3/2011 dated 11.10.2011 and quash the same as illegal, invalid, contrary to law laid down by this Honourable Court and has violated the principles of natural justice.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.T.R.JEYAPALAM, Advocate for the petitioner in all the petitions, the court made the following order:-

These miscellaneous petitions have been filed by the petitioner / School in order to substitute the present Secretary of the School in the place of erstwhile Secretary. When these petitions came up for hearing on 01.10.2018, the respondents have raised no objection for allowing these petitions and hence, this Court has allowed these petitions by way of a common order, dated 01.10.2018. Subsequently, it is brought to the notice of this Court that in the writ petition in W.P.(MD).No.3856 of 2011, the name of the Secretary of the petitioner / school is not mentioned and therefore, W.M.P.(MD). No.17895 of 2018 ought not to have been filed and numbered. Hence, this Court directed to list this matter today under the caption "for clarification".



2. When the matter came up for hearing today, the learned counsel appearing for the petitioner fairly accepted that the said miscellaneous petition has been unnecessarily filed by the petitioner and requested to recall the order and to permit the petitioner to withdraw the said miscellaneous petition alone. The learned counsel appearing for the petitioner has also made an endorsement to that effect in that miscellaneous petition.

3. In view of the above, the order, dated 01.10.2018, passed in respect of W.M.P.(MD).No.17895 of 2018 alone is recalled and the said petition is dismissed as withdrawn. It is made clear that the order dated 01.10.2018, passed in respect of W.M.P.(MD).Nos.17896 and 17897 of 2018 holds good.

4. Post the writ petitions for the hearing on 25.10.2018.

sd/-
10/10/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT.
- 2 THE DISTRICT EDUCATIONAL OFFICER,
TENKASI, TIRUNELVELI DISTRICT.

ORDER IN
WMP(MD) Nos.17895 to 17897 of 2018 IN
WP(MD) No.3856 of 2011, 9574 of 2010
and 15206 of 2011
Date :10/10/2018

PK/JC/SAR-2/24.10.2018 : 3P/3C