



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.19296 of 2013
and
M.P. (MD) Nos.1 and 2 of 2013
and
M.P. (MD) Nos.1 and 2 of 2014

Mukkulathore Higher Secondary School,
represented by its Secretary,
K.S.M.Karunanithi,
Tiruverumbur,
Trichy District.

: Petitioner

-Vs-

1. The Director of School Education,
O/o.Director of School Education,
D.P.I.Campus, College Road,
Chennai - 6.
2. The Chief Educational Officer,
Trichy - 620 008,
Trichy.
3. The District Educational Officer,
Old Collector Officer Campus,
Cantonment,
Trichy District.
4. A.N.Swaminathan Thondamar
5. T.Murugesan
6. Mukkulathore Kalvi Kuzhu,
represented by its President,
Thiruverumbur,
Trichy - 13.04.2015

: Respondents

[R4 has been impleaded by order dated 07.01.2014, R5 and R6 have been impleaded by order dated 03.07.2018]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent in which direct payment was ordered by his proceedings in Na.Ka.No.3650/A2/2013 dated 18.11.2013 and quash the same as illegal



and consequently, to direct the third respondent to release the staff grant for the month of November, 2013 and to succeeding months for disbursement of salary through the Headmaster within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
For R1 to R3 : Mr.Aayiram K.Selvakumar
Additional Government Pleader
For R4 : Mr.P.Arun Jeyaram
For R5 : Mr.M.Saravanan
For R6 : Mr.V.Panneer Selvam

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records and to quash the order passed by the third respondent in Na.Ka.No.3650/A2/2013, dated 18.11.2013, and to direct the third respondent to release the staff grant for the month of November, 2013 and to succeeding months for disbursement of salary through the Headmaster.

2.The impugned order dated 18.11.2013 is in exercise of power under Rule 19 of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974 for direct payment on the ground that the educational agency and the school committee is not functioning and Form VII is neither filed nor approved as per Tamil Nadu Societies Registration Act,

3.It is represented that new office bearers are functioning and the school is now administered by a school committee approved by Education Department.

4.It is further stated that the present office bearers of the Mukkulathore Kalvi Kuzhu, Thiruverumbur, Trichy, is continuing in office and therefore, the writ petition challenging for direct payment has become infructuous. Though the learned counsel appearing for the fourth respondent has a different version, he admitted that the writ petition has become infructuous, as the period of erstwhile office bearers came to end in the year 2014.

5.Accordingly, the writ petition is liable to be dismissed as infructuous and stands dismissed as infructuous. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/



To

1. The Director of School Education,
O/o.Director of School Education,
D.P.I.Campus, College Road,
Chennai - 6.

2. The Chief Educational Officer,
Trichy - 620 008,
Trichy.

3. The District Educational Officer,
Old Collector Officer Campus,
Cantonment,
Trichy District.

+ 1 CC TO M/s.AJMAL ASSOCIATES, ADVOCATE IN SR No. 71249
+ 1 CC TO Mr.R.SUBRAMANIAN, ADVOCATE IN SR No. 70971
+ 1 CC TO Mr.V.PANNEERSELVAM, ADVOCATE IN SR No. 71166

MM

TE/RP/SAR-3 : 09/08/2018 : 3P/7C

W.P.(MD)No.19296 of 2013 and
M.P.(MD) Nos.1 and 2 of 2013 and
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03.07.2018