



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD) No.20860 of 2013

and

M.P. (MD) Nos.1, 2 and 3 of 2013

O.N.Hemalatha

... Petitioner

Vs.

1.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

2.The District Educational Officer,
Kuzhithurai,
Kanyakumari.

3.The Corporate Manager,
Corporate Management of
Roman Catholic Schools,
"THEDAL"
No.10/8-46C, Bridge Ward,
Near Fire Sttion, Kuzhithurai -629 163,
Kanyakumari District.

4.St.Mary's Higher Secondary School,
represented by its Correspondent,
Melpalai, Idaikkode-629 152,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in respect of S.No.9 in Na.Ka.No.6687/A1/2013 dated 27.08.2013 on the file of the respondent No.1 and quash the same as illegal pertaining to the petitioner in S.No.9 of the impugned order and consequently for a direction, restraining the respondent No.1 from issuing no objection certificate in respect of the BT Assistant Post in Social Science (Malayalam) in the fourth respondent school.

For Petitioner

: Mr.T.Lajapathi Roy

For R1 and R2

: Mrs.VPM.Vaishnavi
Government Advocate

For R3 and R4

: Mr. S.Xavier Rajini

ORDER

It is brought to the notice of this Court that, the writ petitioner was dismissed from service and challenging the same, another writ petition was filed and pending before this Court. As far as the present writ petition is to consider the order granting No Objection, is under challenge in this writ petition.

2. The No Objection Certificate was granted to fillup the post by the management, since the writ petitioner had been dismissed from service. The writ petitioner may not have any right to question the management for granting no objection, to fill up the vacant post arose on account of dismissal of service imposed on the writ petitioner. It is needless to say that in the event of setting aside the order of dismissal, the writ petitioner would be provided with an appropriate relief.

3. With these observations, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

2. The District Educational Officer,
Kuzhithurai, Kanyakumari.

+One cc to Mr. Xavier Rajini, Advocate, SR.No.50658
+One cc to Mr. T. Lajapathi Roy, Advocate, SR.No.50635
pnn
RL/5C/2P/SV/MMS/SAR2/7/3/2018

W.P. (MD) No.20860 of 2013