

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :28.02.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.5606 of 2019
and
W.M.P.No.6381 of 2019

C.Ebenezer

..Petitioner

vs

1.The Director of School Education,
D.P.I.Campus,
College Road, Chennai- 600 006

2.The Chief Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

3.The District Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

4.The Bishop,
Arcot Lutheran Church
Cuddalore.

5.The Secretary,
Arcot, Lutheran Church
Cuddalore

6.The Correspondent
Danish Mission Hr.Sec.School,
Thiruvannamalai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 4 to 6 to appoint the petitioner to the post of B.T.Assistant Social Science Teachers at 6th respondent Danish Mission Hr.Sec.School, Thiruvannamalai, based upon the petitioners representation dated 18.01.2019.

For Petitioner : Mr.M.J.Sundar
For Respondents : Mr.A.Rajaperumal
Additional Government Pleader
for R1 to R3

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 4 to 6 to appoint the petitioner to the post of B.T.Assistant Social Science Teachers at 6th respondent Danish Mission Hr.Sec.School, Thiruvannamalai, based upon the petitioners representation dated 18.01.2019.

2.Appointment cannot be secured by submitting a representation. As far as the present writ petition on hand is concerned, the petitioner seeks appointment to the 6th respondent School, which is a Minority institution. Administration, in respect of the Schools vests with the Management of the Minority institution and it is their prerogative and the educational qualifications cannot interfere with the administration of the minority institutions.

3.The authorities are bound to verify the minimum educational qualifications to be followed with reference to the statutes, if any appointment is made. However, direction to direct the respondents 4 to 6 to appoint the petitioner cannot be granted. All appointments are to be made strictly in accordance with the rules in force and by conducting a selection process. Thus, in the event of inviting applications from the eligible candidates through a recruitment Notification, the petitioner is at liberty to participate in the process of selection in the manner known to law.

4.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Director of School Education,
D.P.I.Campus,
College Road, Chennai - 600 006

2.The Chief Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

3.The District Educational Officer,
Thiruvannamalai District,
Thiruvannamalai.

+1cc to Government Pleader sr.no.20001
+1cc to Mr.M.J.Sundar, Advocate sr.no.18707

W.P.No.5606 of 2019

ks(co)
nr 28/03/2019



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