

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Appeal No.1789 of 2018
and
C.M.P.No.14514 of 2018

- 1.The District Educational Officer,
Coimbatore.
- 2.Chief Educational Officer,
Coimbatore.
- 3.The Director of School Education,
College Road, Chennai-600 006. .. Appellants/Respondents

-vs-

Sri S.P.Narashimalu Naidu Education Trust,
Rep., by its trustee,
Crescent Cottage, No.86, Mill Road,
Coimbatore-641 001. .. Respondent/Petitioner

APPEAL under Clause 15 of the Letters Patent to set aside the order dated 27.11.2014 made in W.P.No.8023 of 2013 praying for issuance of a Writ of certiorarified Mandamus, calling for the records in Na.Ka.No. 7098/A4/2012 dated 07.11.2012 on the file of the 1st Respondent and quash the same and direct the Respondents herein to permit the petitioner Trust to close the Sri S.P.Narasimhalu Naidu Memorial High School situated at Crescent Cottage No.86 Mill Road Coimbatore from the academic year 2012-13.

For Appellants : Mr.C.Munusamy,
Special Government Pleader

For Respondent : Mr.Somayaji, Senior Counsel
assisted by Mr.V.Perumal

JUDGMENT
(Delivered by T.S.Sivagnanam, J.)

This appeal has been filed by the appellants/respondents challenging the order dated 27.11.2014 in a batch of cases in W.P.Nos.8023 of 2013 and etc., batch.

2.Earlier, the appellants challenged the order in one of the writ petitions in W.P.No.8024 of 2013. Though the appeal was listed along with the condone delay petition, we heard the learned Government Advocate for the appellants/petitioners in C.M.P.No.16355 of 2018, considering the reasons assigned, and by order dated 18.02.2019, dismissed the civil miscellaneous petition. Consequently, the writ appeal stood rejected at the SR stage. In the light of the said order, the common order passed in the writ petitions stood confirmed. Therefore, we cannot individually consider this appeal and test the correctness of the order passed in the writ petitions, which was a common order. Therefore, the appellants cannot be permitted to individually prosecute this appeal in the light of the earlier order.

3.Hence, this writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

(abr)

To

1.The District Educational Officer,
Coimbatore.

2.Chief Educational Officer,
Coimbatore.

3.The Director of School Education,
College Road, Chennai-600 006.

+1 CC to The Govt. Pleader r 24721.

+1 CC to Mr.V.Perumal, Advocate sr 23837.

W.A.No.1789 of 2018

GJII(CO)
SP(29/03/2019)