

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :20.02.2019

CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14932 & 14933 of 2018
and
W.M.P.Nos.17649 to 17650 of 2018

V.Damodaran ..Petitioner in W.P.No.14932/2018

N.Ramesh ...Petitioner in W.P.No.14933/2018

vs

1.The State of Tamil Nadu,
Rep.by its Secretary to Government
School Education Department,
Fort St.George, Chennai - 9.

2.The Director of School Education,
Nungambakkam, Chennai - 6.

3.The Joint Director of School Education(Personnel)
O/o.the Joint Director of School Education,
Chennai - 600 006

4.The Joint Director of School Education(Higher Secondary)
O/o.the Joint Director of School Education,
Chennai - 600 006.

...Respondents 1 to 4 in
both Petitions

5.The Chief Educational Officer,
O/o.the Chief Education Office,
Vellore, Vellore District.

6.The District Educational Officer
O/o.the District Education Office,
Thiruppathur, Vellore District.

...5th and 6th Respondents
in both W.P 14932 of 2018

7. The Chief Educational Officer,
O/o.The Chief Education officer,
Kanchipuram, Kanchipuram District.

8. The District Educational Officer,
O/o.The District Education Officer,
Chengalpet, Kanchipuram District

...5th and 6th Respondents
in both W.P.No.14933 of 2018

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 4th respondent in his proceedings Na.Ka.No.35476-Rul-E1-2018 dated nil.06.2018(published in the internet on 11.06.2018) and quash the same as illegal.

For Petitioners :Mr.B.Vishnu Chelliya
for M/s.Ajmal Associates(in both W.Ps)

For Respondents : Mr.A.Rajaperumal
Additional Government Pleader
(in both W.Ps)

C O M M O N O R D E R

After advancing the arguments for a considerable length of time, when this Court expressed that the writ petitioners have not established any cause for filing the present writ petitions as they are not an aggrieved persons, from and out of the instructions provided in the impugned order, the learned counsel for the writ petitioners replied by stating that by way of passing an order, the rights of the writ petitioners may be affected. Thus, the writ petitions are filed based on certain presumptions and assumptions, more specifically, on apprehension. Based on such apprehensions, no writ petitions can be entertained.

2.The impugned order is nothing, but the instructions provided by the District Chief Educational Officers to provide certain informations and applications. Such a general instructions given by the higher authorities can never be construed as a cause for the purpose of claiming that the writ petitioners are not liable to furnish all such informations. Public servants are bound to furnish the details and even individual and other details, whenever the same are sought for by the Government or by the competent authorities.

3.At this juncture, the learned counsel for the writ petitioners fairly made a submission that in the event of passing any adverse order against the writ petitioners, the writ petitioners would be granted liberty to pursue the remedy, this Court is of an opinion that if any order affecting the service conditions of the writ petitioners are passed, then the writ petitioners are at liberty to approach the competent Forum for redressal of their remedies.

4.With these observations, the writ petition stands dismissed as withdrawn. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government
School Education Department,
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Nungambakkam, Chennai - 6.
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O/o.the District Education Office,
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- 7.The Chief Educational Officer,
O/o.The Chief Education Officer,
Vellore, Vellore District.
- 8.The District Educational Officer,
O/o.The District Education Officer,
Thirupathur, Vellore District.

+2ccs to M/s.Ajmal Associates, S.R.No.15914 & 15915

W.P.Nos.14932 & 14933 of 2018

VSN-II(CO)
rrs 21/03/2019