

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition Nos.26439 & 28653 of 2017

Rev.K.Victor .. Petitioner in W.P. No.26439 of 2017

E.Samuel Selvakumar .. Petitioner in W.P. No.28653 of 2017

Versus

1. The District Educational Officer,
Thiruppathur, Vellore District.
2. India Evangelical Lutheran Church,
Rev.R.Vijayakumar, General Treasurer,
No.47, Eldams Road, Teynampet,
Chennai-600 018.
3. C.Duraiarasu
4. J.Jabus Chandrasekaran
5. S.Kirubanantharaj
6. L.Franklin Desai .. Respondents in W.P.No.26439 of 2017

1. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
2. The District Educational Officer,
Krishnagiri District,
Krishnagiri.
3. The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.
4. G.Kumar .. Respondents in W.P.No.28653 of 2017

Prayer in W.P.No.26439 of 2017:

Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified mandamus to call for the records relevant to the order in Na.Ka.No.3751/A2/2015 dated 25.09.2017 passed by the first respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the first respondent to approve the list of Correspondents recommended by the petitioner.

Prayer in W.P.No.28653 of 2017:

Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the second respondent to consider the petitioner's representation dated 29.05.2017 and thereby direct the respondents to approve the appointment of the correspondent by the Education Committee of Ambur Synod-IELC for Concordia Higher Secondary School, Barugar.

For Petitioner in W.P.
No.26439 of 2017 : Mr.L.Chandrakumar

For Petitioner in W.P. : Mr.L.Chandrakumar for
No.28653 of 2017 : Mr.B.Gopalakrishnan

For first respondent in W.P.
No.26439 of 2017 and
respondents 1 to 3 in : Mr.K.Karthikeyan,
W.P. No.28653 of 2017 Government Advocate

For respondents 3 to 6 in
W.P. No.26439 of 2017 : Mr.C.Prabakaran
No appearance for R2 in W.P.
No.26439 of 2017 and
No appearance for R4 in W.P.
No.28653 of 2017

COMMON ORDER

Mr.L.Chandrakumar, learned counsel appearing for the petitioners would submit that now the Concordia Higher Secondary School is under the care and administration of the Administrator, who has been appointed by this Court in Tr.C.S. No.741 of 2017 dated 31.07.2018. He would further submit that if a direction is issued remitting back the matters to the Administrator to decide the same on merits, no one will be prejudiced.

2.In view of the above, without going into the merits of the contentions made by the parties, the impugned order is set aside and the matters are remitted back to the Administrator to

consider the case afresh and pass appropriate orders, on merits.

3. Needless to mention that the case of John Wilson Azariah and Eunice Chandrothayam may be considered by the Administrator.

4. Accordingly, the writ petitions are disposed of. Consequently, connected M.Ps are closed. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vga

To

1. The District Educational Officer,
Thiruppathur,
Vellore District.
2. The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
3. The District Educational Officer,
Krishnagiri District,
Krishnagiri.
4. The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.

+5cc to Mr.B.Gopalakrishnan, Advocate, S.R.No.10052
+1cc to Mr.C.Prabakaran, Advocate, S.R.No.10446
+1cc to the Government Pleader, S.R.No.10769 & 10772

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CS/11/02/2019

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