



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.06.2019
CORAM:
THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD).No. 14026 of 2019 and
W.M.P(MD).No. 10499 of 2019

A. Sasikumar : Petitioner

Vs.

1.The Chief Education Officer,
Thanjavur, Thanjavur District.

2. The District Education Officer,
Kumbakonam,
Thanjavur District.

3. The Correspondent,
Oriental High School,
Kumbakonam,
Thanjavur District.

4. Valarmathi : Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned order passed by the 3rd respondent in his letter, dated 13.05.2019 and quash the same and consequently direct the respondents-1 to 3 to appoint the petitioner as Record Clerk under the 3rd respondent's school namely Oriental High School, Kumbakonam, Thanjavur District.

For Petitioner : Mr.G.Gomathi Sankar
For Respondents-1 & 2 : Mr.A.Thiagarajan,
Government Advocate.

ORDER

This Writ Petition has been filed to call for the records in connection with the impugned order passed by the third respondent in his letter, dated 13.05.2019 and to quash the same and consequently to direct the respondents-1 to 3 to appoint the petitioner as Record Clerk under the 3rd respondent's school namely, Oriental High School, Kumbakonam, Thanjavur District.



2. The writ petitioner challenges the impugned order, dated 13.05.2019, passed by the 3rd respondent school granting approval to the 4th respondent.

3. The learned Special Government Pleader appearing for the respondents-1 & 2 would submit that the writ petitioner has filed the instant writ petition, without exhausting the remedy, under the Tamil Nadu Private Schools Regulation Act, 1973 and therefore, the instant writ petition is not maintainable. He would further submit that the writ petitioner has to approach the Appellate authority for challenging the aforesaid order.

4. In view of the aforesaid submission, the instant writ petition is disposed of with liberty to the writ petitioner to approach the Appellate authority/The Joint Director of School and Education Department to workout his remedy in accordance with law, within a period of Two (2) weeks, from the date of receipt of a copy of the order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

/ True Copy /

Sub Assistant Registrar (CS-)

To

1. The Chief Education Officer,
Thanjavur, Thanjavur District.
2. The District Education Officer,
Kumbakonam, Thanjavur District.
3. The Correspondent,
Oriental High School,
Kumbakonam, Thanjavur District.

Copy To:

The Section Officer, E.R. Section,
Madurai Bench of Madras High Court, Madurai.

(Note : The Registry is directed to return the original impugned order to the petitioner, after obtaining a copy of the said order).

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-71233[F] dated 25/06/2019)
+1 CC to M/s.SPL GP (SR-71249[F] dated 25/06/2019)
(SR-71463[F] dated 26/06/2019)