



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(CIVIL APPELLATE JURISDICTION)

WEDNESDAY, THE TWELFTH DAY OF JUNE TWO THOUSAND NINETEEN

PRESENT

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HON'BLE MR.JUSTICE S.S.SUNDAR

WA(MD) NO.917 OF 2018
IN
W.P(MD) . NO.21250 OF 2015

1.The Correspondent,
RC Primary School,
Chemparuthivilai,
Kanyakumari District.

2.The Corporate Manager,
Roman Catholic Schools,
"Thedal" 10/8-46, C, Bridge Ward,
Near Fire Station,
Kuzhithurai,
Kanyakumari District 629 163.

...Petitioners

Vs

1.S.Sophi Shavrin Aashicka,
Secondary Grade Teacher,
R.C.Primary School,
Chemparuthivilai,
Kanyakumari District.

2.The Director of Elementary Education,
College Road,
Chennai 600 006.

3.The District Elementary Educational Officer,
Kanyakumari District,
Nagercoil 629 001.

4.The Assistant Elementary Educational Officer,
Thuckalay,
Kanyakumari District.



5.Sr.Maria Salomai,
Secondary Grade Teacher,
R.C.Primary School,
Chemparuthivilai,
Kanyakumari District.

6.The Generalate,
The Franciscan Sister of Our Lady of Bon Secours,
Adaikal Annai Nagar,
Rajive Gandhi High Road,
Aravanvoyal Kuppam,
Thiruvallur District 602 025.

7.The Provincial,
The Franciscan Sister of Our Lady of Bon Secours,
Adaikala Annai Nagar,
Nallama Naickanpatty,
Dindigul District 624 003.

(R6 and R7 are impleaded as per order dated 03.09.2018 in C.M.(MD) No.6595 of 2018 in W.A.(MD)No.917 of 2018 by this Court)

... Respondents

Prayer in WA(MD) .No.917 of 2018

Writ Appeal is filed under Clause 15 of Letters Patent Act, to set aside the Order of dated 02.02.2018 made in WP(MD)No.21250 of 2015.

Prayer in WP(MD) . 21250/ 2015 : (Common Prayer)

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue (*)Writ of Certiorarified Mandamus calling for the records relating to the registration letter dated 04.06.2015 appears to be submitted by the petitioner, and the approval granted by the 2nd respondent District Elementary Educational Officer vide his proceedings in Na.Ka.No.1903/Aa1/2015 dated 07.07.2015, quash the same and further direct the respondents 1 to 5 to to permit the petitioner to continuously work as Secondary Grade Teacher in the 4th respondent school namely R.C. Primary School, Chemparuthivillai, Kanyakumari District and disburse her grant-in-aid towards her salary and all other monetary benefits.

ORDER : Writ Appeal is coming on for hearing on this day and upon perusing the petition and affidavit filed in support thereof and upon hearing the arguments of Mr.J.SHABU JOSE, Advocate for the Petitioner and of Mr.S.XAVIER RAJINI, Advocate 1st Respondent and of Ms.S.SRIMATHY, Advocate for the Respondents No.2 and 3, this court made the following order:-



It is stated by the learned counsel for the first respondent that part of the order has been complied with and part of the order has not been complied with. Since the final order is already passed in the Writ Appeal and if any party is aggrieved against its' not compliance in full, it is open to them to file contempt proceedings.

WEB COPY

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Director of Elementary Education,
College Road,
Chennai 600 006.
 - 2.The District Elementary Educational Officer,
Kanyakumari District,
Nagercoil 629 001.
 - 3.The Assistant Elementary Educational Officer,
Thuckalay,
Kanyakumari District.
- +1. C.C. to M/S.ISAAC CHAMBERS Advocate SR.No.68394.

ORDER IN WA(MD)No.917 of 2018
IN
W.P(MD) . No.21250 of 2015
Date :12/06/2019

CS(26.07.2019) 3P 5C