



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.21094 of 2017

and

W.M.P. (MD)Nos.17342 and 17343 of 2017

P.Amos

... Petitioner

Vs

1.The District Registrar,
Cheranmahadevi,
Tirunelveli District.

2.The Chief Education Officer,
Tirunelveli District.

3.The District Education Officer,
Cheranmahadevi at Tirunelveli,
Tirunelveli District.

4.S.Thomas Walker

5.David Sephen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent not to pass any further order based on the representations given by the 4th and 5th respondent to convene General Body Meeting with due notice to all its members to conduct the Election for the period 2017-2020 as per Law for the CMS Evangelical Suvi Davit Memorial Higher Secondary School Committee, Karisal, Cheranmahavdevi Taluk, Tirunelveli Distict.

(Prayer amended vide Court order dated
06.12.2017 in W.M.P(MD)No.18633 of 2017)

For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Mr.M.Murugan
Government Advocate for R1 to R3

: Mr.V.Panner Selvam for R4

: Mr.EVN.Siva for R5

**ORDER**

This writ petition pertains to the affairs of CMS Evangelical Suvi Davit Memorial Higher Secondary School Committee, Karisal. The petitioner herein claims to be one of the executing committees. He wants to restrain the first respondent herein from passing any order on any of the petition that may be given by the contesting private respondents herein. Such a writ petition is clearly not maintainable. A statutory authority cannot be restrained in advance from discharging their statutory functions. As and when the first respondent passes any order, if the writ petitioner is aggrieved, it is always open to him to challenge the same in the manner known to law. That apart, it is seen that the petitioner herein filed O.S.No.86 of 2018 on the file of the learned IV Additional District Court, Tirunelveli. I am of the view that all the outstanding disputes between the parties would stand resolved if the trial of the suit is expedited. This Court therefore directs the learned IV Additional District Court, Tirunelveli to dispose of O.S.No.86 of 2018 within a period of eight months from the date of receipt of a copy of this order on merits and in accordance with law.

2. With this direction, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

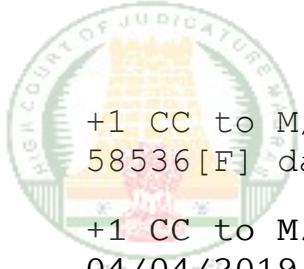
Assistant Registrar ()

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Sub Assistant Registrar (CS)

To:

1. The Additional District Judge-IV
Tirunelveli
2. The District Registrar,
Cheranmahadevi,
Tirunelveli District.
3. The Chief Education Officer,
Tirunelveli District.
4. The District Education Officer,
Cheranmahadevi at Tirunelveli,
Tirunelveli District.



+1 CC to M/s.M.S.SURESH KUMAR, Advocate (SR-58536[F] dated 03/04/2019)

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-58805[F] dated 04/04/2019)

+1 CC to M/s.SPL GP (SR-59274[F] dated 05/04/2019)

+1 CC to M/s.E.V.N.SIVA, Advocate (SR-59439[F] dated 05/04/2019)

ias

W.P. (MD) No. 21094 of 2017
03.04.2019

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