



WEB COPY

W.A(MD)NO.852 OF 2019
and
C.M.P(MD)No.7329 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY**

**W.A(MD)NO.852 OF 2019
and
C.M.P(MD)No.7329 of 2019**

S.Peer Mohammed : Appellant/Petitioner

.vs.

- 1.The District Educational Officer,
Paramakudi,
Ramanathapuram District.
- 2.The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.
- 3.The Correspondent,
Pallivasal Higher Secondary School,
Mudukulathur,
Ramanathapuram District.

4.N.Noorul Ameen : Respondents/Respondents
1 to 4

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P(MD)No.15239 of 2019, dated 5.7.2019.

Prayer in WP(MD) . 15239/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Declaration, declaring the appointment of the respondent No.4 is illegal as P.G. Assistant in commerce with the respondent No.3 school and consequently direct the respondents No.1 to 3 to appoint the Petitioner as a P.G. Assistant in Commerce with the respondent No.3 school with consequently benefits within the time stipulated by this Honourable Court



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For Appellant

:M/s.B.Prahlad Ravi

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For Respondents
1 and 2

:Mrs.S.Srimathy
Special Govt.Pleader

JUDGMENT

[Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**]

This Writ Appeal is directed against the order passed in W.P (MD)No.15239 of 2019, dated 5.7.2019.

2.The appellant is the Writ Petitioner. The Writ Court while disposing the Writ Petition, directed the second respondent to consider the objection filed by the Writ Petitioner and pass orders on merits and in accordance with law in respect of the appointment of the fourth respondent as P.G.Assistant in Commerce at the third respondent/School.

3.When the Writ Petition is taken up for admission today, the learned counsel for the appellant submitted that after filing the Writ Appeal, the second respondent passed an order on 5.8.2019 stating that the educational authorities have no power to interfere with the appointment made in the minority school namely, the third respondent/School. Since an order is passed by the second respondent in pursuant to the direction of this Court. We are not inclined to express any view on the above-said order passed by the second respondent on 5.8.2019 as it is for the Petitioner to challenge the same in the manner known to law.

4.Accordingly, the Writ Appeal is disposed of as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

vsn



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and
C.M.P(MD)No.7329 of 2019

To

1.The District Educational Officer,
Paramakudi,
Ramanathapuram District.

2.The Chief Educational Officer,
Ramanathapuram District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-81795[F] dated 14/08/2019)

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KK/SAR/29.08.2019/3P-4C/