



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 13.08.2019**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P. (MD) No.13478 of 2014**

**and**

**M.P. (MD) No.1 of 2014**

Esther Rousewelt

... Petitioner

vs.

1.The State of Tamil Nadu  
rep.by its Secretary  
Department of School Education  
Fort St.George  
Chennai-600 009

2.Assistant Elementary Education Officer  
Office of the AEEO  
Collector Office Campus  
Virudhunagar-626002

3.S.Ambrose  
Executive-Secretary  
Council of Seventh-day  
Adventist Educational Institutions  
197, G.S.T.Road  
Vandalur  
Chennai-600048

4.Dr.Gordon Christo  
Secretary  
Southern Asia Division of SDA  
Post Box 2, HCF, Hosur-635 110

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records from the file of the 4<sup>th</sup> respondent with respect to the Retirement Notice dated 18.11.2013 in Ref:SR 2013/142 made on the file of the 3<sup>rd</sup> respondent and quash the same and further directing the 3<sup>rd</sup> respondent to reinstate the petitioner in the school as a teacher.



For Petitioner : Mr.A.John Vincent  
For Respondents : Mrs.S.Srimathy  
Special Government Pleader for R1 & R2  
Ms.T.Banumathy for R3  
No appearance for R4

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**ORDER**

The retirement notice, dated 18.11.2013, issued by the Executive Secretary of Council of Seventh-day Adventist Educational Institutions, Chennai, is under challenge in the present writ petition.

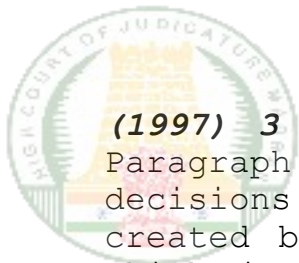
2. The retirement notice was issued on 18.11.2013 to the writ petitioner stating that the Committee, which met on 26.03.2013, has resolved to place the writ petitioner on retirement with effect from 01.05.2014, inasmuch as the writ petitioner was completing 60 years of age as recorded in her service record.

3. Challenging the said retirement notice, the writ petitioner has come out with the present writ petition, on the ground that as per the resolution of the respondent / Committee, she is entitled to serve upto the age of 62 years.

4. This apart, the learned counsel appearing for the writ petitioner made a submission that the writ petition is maintainable.

5. This Court is of the opinion that the respondent School is a Private School and recognized under the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 and therefore, writ proceedings cannot be entertained. There is no Government grant-in-aid either to the Institution or to the writ petitioner for the purpose of payment of salary. Thus, the writ petitioner has to exhaust the remedy under the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973. Various redressal mechanisms are provided under the said Act. The competent authority can be approached at the first instance. Appeals are provided and the Tribunals are also functioning with reference to the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973. None of the statutory remedies provided under the Act had been exhausted by the writ petitioner. Contrarily, the present writ petition is filed directly challenging the retirement notice issued by the respondent / Management.

6. In order to maintain the writ petition, the learned counsel appearing for the writ petitioner referred to the Judgment of the Honourable Supreme Court in the case of **K.Krishnamacharyulu vs. Sri Venkateswara Hindu College of Engineering**, reported in



**(1997) 3 SCC 571.** He mainly relied on the observations made in Paragraph No.4, which states that "in view of the long line of decisions of this Court holding that when there is an interest created by the Government in an institution to impart education, which is a fundamental right of the citizens, the teachers, who impart education get an element of public interest in the performance of their duties. As a consequence, the element of public interest requires regulation of the conditions of service of those employees on a par with government employees. In consequence, are they also not entitled to the parity of the pay scales as per the executive instructions of the Government?" The Honourable Supreme Court raised a question whether the pay should be granted equally to these Private Institution Teachers on par with the Government Teachers.

7. The learned counsel for the writ petitioner further referred to the Judgment of the learned Single Judge of this Court, dated 20.04.2011, passed in W.P.(MD) No.7738 of 2005 and Paragraph Nos.21 and 22 of the said order are extracted hereunder:

"21. As per the aforesaid decision of the Honourable Apex Court in *Whirlpool Corporation Vs. Registrar of Trade Marks, Mumbai and others* reported in (1998) 8 SCC 1, writ petition could be maintained, if the impugned action was in violation of the principles of natural justice though the appellate remedy is available. Hence, the issue that arises for consideration is as to whether the impugned termination order dated 16.09.2004 passed by the second respondent in violation of principles of natural justice and whether the writ petition could be maintained against private un-aided School.

22. The decisions relied on by the petitioner squarely apply to this case and the following passages in *K.Krishnamacharyulu Vs. Sri Venkateswar Hindu College of Engineering* reported in 1997 (3) SCC 571 is extracted hereunder:

"It is not in dispute that executive instructions issued by the Government have given them the right to claim the pay scales so as to be on a par with the Government employees. The question is when there are no statutory rules issued in that behalf, and the institution, at the relevant time, being not in receipt of any grants-in-aid; whether the Writ Petition under Article 226 of the Constitution of India is not maintainable? In view of long line of decisions of this Court holding



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that when there is an interest created by the Government in an institution to impart education, which is a fundamental right of the citizens, the teachers, who impart education get an element of public interest in the performance of their duties. As a consequence, the element of Public Interest requires regulation of the conditions of service of those employees on a par with Government employees. In consequence, are they also not entitled to the parity of the pay scales as per the executive instructions of the Government? It is not also in dispute that all the persons who filed the Writ Petition along with the appellant had later withdrawn from the Writ Petition and thereafter the respondent Management paid the salaries on a par with the Government employees. Since the appellants are insisting upon enforcement of their right through the judicial pressure, they need and seek the protection of law. We are of the view that State has obligation to provide facilities and opportunities to the people to avail of the right to education. The Private Institutions cater to the need of providing educational opportunities. The teacher duly appointed to a post in the private institution also is entitled to seek enforcement of the orders issued by the Government. The question is as to which forum one should approach. The High Court has held that the remedy is available under the Industrial Disputes Act. When an element of Public Interest is created and the Institution is catering to that element, the teacher, being the arm of the Institution, is also entitled to avail of the remedy provided under Article 226 the Jurisdiction part is very wise. It would be a different position, if the remedy is a private law remedy. So, they cannot be denied the same benefit which is available to others. Accordingly, we hold that the Writ Petition is not maintainable. They are entitled to equal pay so as to be on a par with Government employees under Article 39(d) of the Constitution."



Hence, I have no hesitation in holding that the writ petition is maintainable against the respondent institution."

8. The learned Single Judge of this Court in the above said order, has followed the decision of the Honourable Supreme Court of India cited supra.

9. This apart, the learned counsel for the writ petitioner cited the Judgment of the Honourable Supreme Court of India in the case of **Whirlpool Corporation vs. Registrar of Trade Marks, Mumbai and others**, reported in (1998) 8 SCC 1 and Paragraph Nos.14 and 15 of the said decision are extracted hereunder:

"14. The power to issue prerogative writs under Article 226 of the Constitution is plenary in nature and is not limited by any other provision of the Constitution. This power can be exercised by the High Court not only for issuing writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari for the enforcement of any of the Fundamental Rights contained in Part III of the Constitution but also for "any other purpose".

15. Under Article 226 of the Constitution, the High Court, having regard to the facts of the case, has a discretion to entertain or not to entertain a writ petition. But, the High Court has imposed upon itself certain restrictions one of which is that if an effective and efficacious remedy is available, the High Court would not normally exercise its jurisdiction. But the alternative remedy has been consistently held by this Court not to operate as a bar in at least three contingencies, namely, where the writ petition has been filed for the enforcement of any of the Fundamental Rights or where there has been a violation of the principle of natural justice or where the order or proceedings are wholly without jurisdiction or the vires of an Act is challenged. There is a plethora of case-law on this point but to cut down this circle of forensic whirlpool, we would rely on some old decisions of the evolutionary era of the constitutional law as they still hold the field."

10. In respect of Paragraph No.14 of the above said decision, the general principles are laid down by the Honourable Supreme Court on the ground that the prerogative writs under Article 226 of the Constitution of India is plenary in nature and is not limited by any other provision of the Constitution of India.



The wider power conferred on the constitutional Courts under Article 226 of the Constitution of India has been generally discussed by the Supreme Court. The said observations cannot be construed that all such writ petitions filed by the employees of the Private Institutions are to be entertained under Article 226 of the Constitution of India.

**11.** This Court also is of the opinion that no writ can be dismissed on the ground of maintainability. Undoubtedly, all the writs are to be admitted, when there are constitutional violations or the violations of principles of natural justice are brought to the notice of the Court. Thus, dismissing a writ petition on the ground of maintainability is different and not entertaining a writ petition on the ground that the relief is sought for as against a Private Institution and alternative statutory remedies are available and without exhausting the same, the employees of the Private Institution cannot approach the High Court.

**12.** In fact, another aspect is also to be considered. First of all, to entertain a writ petition, the Institution must be a "State" within the meaning of Article 12 of the Constitution of India. Private Institutions are governed by various other statutes, including general statutes. In respect of workmen, Industrial Disputes Act, Subsistence Allowance Act many number of general statutes are available for the purpose of redressing their grievances. Equally in respect of the Teachers working in Private Schools, the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 is providing various redressal mechanisms. The only point to be considered is that without exhausting all such remedies provided under the statute, whether a writ petition can be entertained or not. As observed by the Honourable Supreme Court, High Courts normally would not dismiss the writ petitions on the ground of maintainability. But, writ petitions can be rejected for the purpose of exhausting the statutory remedies available under various statutes.

**13.** The very purpose of directing the litigants to exhaust the statutory remedies is to ensure that the disputed issues and facts are adjudicated with reference to the original documents and by adducing evidences. All such disputed issues cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India. The power of judicial review under Article 226 of the Constitution of India is entirely different and the High Court cannot conduct a trial for the purpose of ascertaining the truth behind the allegations or the issues set out in the writ petitions. Thus, the power of judicial review is also well settled by the Honourable Supreme Court by stating that the procedures by which such a decision is taken alone must be considered and not the decision itself. This being the scope of judicial review settled by the Honourable Supreme Court of India, all such disputed facts



and circumstances are to be adjudicated by the aggrieved persons before the competent authority at the first instance and before the Appellate Authority or the Special Tribunals constituted for this purpose.

14. The importance of exhausting the appellate remedies was also considered by this Court elaborately, by order dated 16.07.2018 in **M/s.Hyundai Motor India Limited vs. The Deputy Commissioner of Income Tax and another**, in W.P. No.22508 of 2017. The relevant paragraphs are extracted hereunder.

'19. Unnecessary or routine invasion into the statutory powers of the competent authorities under a statute should be restrained by the Constitutional Courts. Frequent or unnecessary invasions in the executive power will defeat the constitutional perspectives enshrined under the Constitution of India. Undoubtedly, the separation of powers under the Indian Constitution has been narrated and settled in umpteen number of judgments. Separation of powers demarcated in the Constitution of India is also to be considered, while exercising the powers of judicial review in the matter of dispensing with the appeal remedy provided for an aggrieved person under a statute. If the High Courts started interfering with such Appellate powers without any valid and substantiated reasons, then the very purpose and object of the statute and provision of appeal under the statute became an empty formality and the High Courts also should see that the provisions of appeal contemplated under the statutes are implemented in its real spirit and in accordance with the procedures contemplated under the rules constituted thereon. While entertaining a writ petition as narrated by the Apex Court, the provision of efficacious alternative remedy under the statute also to be considered.

If the writ petitions are entertained in a routine manner, by not allowing the competent Appellate authority to exercise their powers under the provisions of the statute, then this Court is of an opinion that the power of judicial review has not exercised in a proper manner. Thus, it is necessary for this Court to elaborate the legal principle settled in respect of the separation of powers under the Constitution of India.

1.Madras Bar Association vs. Union of India (UOI) (25.09.2014-SC): MANU/SC/0875/2014

If the historical background, the preamble, the entire scheme of the Constitution, relevant provisions thereof including Article 368 are kept



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in mind there can be no difficulty in discerning that the following can be regarded as the basic elements of the constitutional structure. (These cannot be catalogued but can only be illustrated):

- (1) The supremacy of the Constitution.
- (2) Republican and Democratic form of government and sovereignty of the country.
- (3) Secular and federal character of the Constitution.
- (4) Demarcation of power between the Legislature, the executive and the judiciary.
- (5) The dignity of the individual secured by the various freedoms and basic rights in Part III and the mandate to build a welfare State contained in Part IV.

(6) The unity and the integrity of the Nation.

2. Holiness Kesavananda Bharati Sripadagalvaru v. State of Kerala and Anr. [MANU/SC/0445/1973 : (1973) 4 SCC 225].

That separation of powers between the legislature, the executive and the judiciary is the basic structure of the Constitution is expressly stated by Sikri, C.J.

3. P. Kannadasan and Ors. v. State of T.N. and Ors. [MANU/SC/0650/1996 : (1996) 5 SCC 670] the Supreme Court noted that the Constitution of India recognised the doctrine of separation of powers between the three organs of the State, namely, the legislature, the executive and the judiciary. The Court said: It must be remembered that our Constitution recognises and incorporates the doctrine of separation of powers between the three organs of the State, viz., the Legislature, the Executive and the Judiciary. Even though the Constitution has adopted the parliamentary form of government where the dividing line between the legislature and the executive becomes thin, the theory of separation of powers is still valid.

4. State of Tamil Nadu and Ors. vs. State of Kerala and Ors. (07.05.2014 - SC) : MANU/SC/0425/2014

121. On deep reflection of the above discussion, in our opinion, the constitutional principles in the context of Indian Constitution relating to separation of powers between legislature, executive and judiciary may, in brief, be summarized thus:

(i) Even without express provision of the



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separation of powers, the doctrine of separation of powers is an entrenched principle in the Constitution of India.

The doctrine of separation of powers informs the Indian constitutional structure and it is an essential constituent of rule of law.

In other words, the doctrine of separation of power though not expressly engrafted in the Constitution, its sweep, operation and visibility are apparent from the scheme of Indian Constitution. Constitution has made demarcation, without drawing formal lines between the three organs- legislature, executive and judiciary. In that sense, even in the absence of express provision for separation of power, the separation of power between legislature, executive and judiciary is not different from the constitutions of the countries which contain express provision for separation of powers.

(ii) Independence of courts from the executive and legislature is fundamental to the rule of law and one of the basic tenets of Indian Constitution.

Separation of judicial power is a significant constitutional principle under the Constitution of India.

(iii) Separation of powers between three organs- legislature, executive and judiciary--is also nothing but a consequence of principles of equality enshrined in Article 14 of the Constitution of India. Accordingly, breach of separation of judicial power may amount to negation of equality Under Article 14. Stated thus, a legislation can be invalidated on the basis of breach of the separation of powers since such breach is negation of equality Under Article 14 of the Constitution.

(iv) The superior judiciary (High Courts and Supreme Court) is empowered by the Constitution to declare a law made by the legislature (Parliament and State legislatures) void if it is found to have transgressed the constitutional limitations or if it infringed the rights enshrined in Part III of the Constitution.

(v) The doctrine of separation of powers applies to the final judgments of the courts. Legislature cannot declare any decision of a court of law to be void or of no effect. It can, however, pass an amending Act to remedy the defects pointed out by



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a court of law or on coming to know of it aligned.

In other words, a court's decision must always bind unless the conditions on which it is based are so fundamentally altered that the decision could not have been given in the altered circumstances.

(vi) If the legislature has the power over the subject-matter and competence to make a validating law, it can at any time make such a validating law and make it retrospective. The validity of a validating law, therefore, depends upon whether the legislature possesses the competence which it claims over the subject-matter and whether in making the validation law it removes the defect which the courts had found in the existing law."

20. This Court is of a strong opinion that institutional respects are to be maintained by the constitutional Courts. Whenever there is a provision for an appeal under the statute, without exhausting the remedies available under the statute, no writ petition can be entertained in a routine manner. Only on exceptional circumstances, the remedy of appeal can be waived, if there is a gross injustice or if there is a violation of fundamental rights ensured under the Constitution of India. Otherwise, all the aggrieved persons from and out of the order passed by the original authority is bound to approach the Appellate Authority. The Constitutional Courts cannot make an appeal provision as an empty formality. Every Appellate Authority created under the statute to be trusted in normal circumstances unless there is a specific allegation, which is substantiated in a writ proceedings. Thus, the institutional functions and exhausting the appeal remedies by the aggrieved persons, are to be enforced in all circumstances and writ proceedings can be entertained only on exceptional circumstances. Rule is to prefer an appeal and entertaining a writ is only an exception. This being the legal principles to be followed, this Court cannot entertain the writ petitions in a routine manner by waiving the remedy of appeal provided under the statute.

21. Now, let us look into the legal principles settled by the Apex Court for exhausting the efficacious alternative remedy provided under the statute.



22. When an effective alternative remedy is available, a writ petition cannot be maintained.

1. In *City and Industrial Development Corporation v. Dosu Aardeshir Bhiwandiwalla and Ors.* MANU/SC/8250/2008 : (2009) 1 SCC 168, this Court

had observed that: The Court while exercising its jurisdiction under Article 226 is duty-bound to consider whether:

(a) adjudication of writ petition involves any complex and disputed questions of facts and whether they can be satisfactorily resolved;

(b) the petition reveals all material facts;

(c) the Petitioner has any alternative or effective remedy for the resolution of the dispute;

(d) person invoking the jurisdiction is guilty of unexplained delay and laches;

(e) ex facie barred by any laws of limitation;

(f) grant of relief is against public policy or barred by any valid law; and host of other factors.

2. *Kanaiyalal Lalchand Sachdev and Ors. vs. State of Maharashtra and Ors.* (07.02.2011 - SC) : MANU/SC/0103/2011

It is well settled that ordinarily relief Under Articles 226/227 of the Constitution of India is not available if an efficacious alternative remedy is available to any aggrieved person. (See *Sadhana Lodh v. National Insurance Co. Ltd.*; *Surya Dev Rai v. Ram Chander Rai* and *SBI v. Allied Chemical Laboratories.*)

3. *Commissioner of Income Tax and Ors. v. Chhabil Dass Agarwal*, MANU/SC/0802/2013 : 2014 (1) SCC 603, as follows:

Para 15. while it can be said that this Court has recognised some exceptions to the Rule of alternative remedy i.e. Where the statutory authority has not acted in accordance with the provisions of the enactment in question, or in defiance of the fundamental principles of judicial procedure, or has resorted to invoke the provisions which are repealed, or when an order has been passed in total violation of the principles of natural justice, the proposition laid down in *Thansingh Nathmal case*, *Titaghur Paper Mills case* and other similar judgments that the High Court will not entertain a petition



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Under Article 226 of the Constitution if an effective alternative remedy is available to the aggrieved person or the statute under which the action complained of has been taken itself contains a mechanism for redressal of grievance still holds the field. Therefore, when a statutory forum is created by law for redressal of grievances, a writ petition should not be entertained ignoring the statutory dispensation.

4. Authorized Officer, State Bank of Travancore and Ors. vs. Mathew K.C. (30.01.2018 - SC) : MANU/SC/0054/2018

The petitioner argued that the SARFAESI Act is a complete code by itself, providing for expeditious recovery of dues arising out of loans granted by financial institutions, the remedy of appeal by the aggrieved under Section 17 before the Debt Recovery Tribunal, followed by a right to appeal before the Appellate Tribunal under Section 18. The High Court ought not to have entertained the writ petition in view of the adequate alternate statutory remedies available to the Respondent. The interim order was passed on the very first date, without an opportunity to the Appellant to file a reply. Reliance was placed on *United Bank of India vs. Satyawati Tandon and others*, 2010 (8) SCC 110, and *General Manager, Sri Siddeshwara Cooperative Bank Limited and another vs. Iqbal and others*, 2013 (10) SCC 83. The writ petition ought to have been dismissed at the threshold on the ground of maintainability. The Division Bench erred in declining to interfere with the same. The Supreme Court agreed to the arguments and held the same also noted that the writ petition ought not to have been entertained and the interim order granted for the mere asking without assigning special reasons, and that too without even granting opportunity to the Appellant to contest the maintainability of the writ petition and failure to notice the subsequent developments in the interregnum.

5. *State of Himachal Pradesh v. Gujarat Ambuja Cement Ltd.* reported at AIR 2005 SC 3856, the Supreme Court explained the rule of 'alternate remedy' in the following terms Considering the plea regarding alternative remedy as raised by the appellant-State. Except for a period when Article 226 was amended by the Constitution (42nd



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Amendment) Act, 1976, the power relating to alternative remedy has been considered to be a rule of self imposed limitation. It is essentially a rule of policy, convenience and discretion and never a rule of law. Despite the existence of an alternative remedy it is within the jurisdiction of discretion of the High Court to grant relief under Article 226 of the Constitution. At the same time, it cannot be lost sight of that though the matter relating to an alternative remedy has nothing to do with the jurisdiction of the case, normally the High Court should not interfere if there is an adequate efficacious alternative remedy. If somebody approaches the High Court without availing the alternative remedy provided the High Court should ensure that he has made out a strong case or that there exist good grounds to invoke the extraordinary jurisdiction.

6. *K.S. Rashid and Sons v. Income Tax Investigation Commission and Ors.*, AIR (1954) SC 207; *Sangram Singh v. Election Tribunal, Kotah and Ors.*, AIR (1955) SC 425; *Union of India v. T.R. Varma*, AIR (1957) SC 882; *State of U.P. and Ors. v. Mohammad Nooh*, AIR (1958) SC 86 and *M/s K.S. Venkataraman and Co. (P) Ltd. v. State of Madras*, AIR (1966) SC 1089, Constitution Benches of the Supreme Court held that Article 226 of the Constitution confers on all the High Courts a very wide power in the matter of issuing writs. However, the remedy of writ is an absolutely discretionary remedy and the High Court has always the discretion to refuse to grant any writ if it is satisfied that the aggrieved party can have an adequate or suitable relief elsewhere. The Court, in extraordinary circumstances, may exercise the power if it comes to the conclusion that there has been a breach of principles of natural justice or procedure required for decision has not been adopted.

7. *First Income-Tax Officer, Salem v. M/s. Short Brothers (P) Ltd.*, [1966] 3 SCR 84 and *State of U.P. And Ors. v. M/s. Indian Hume Pipe Co. Ltd.*, [1977] 2 SCC 724.

There are two well recognized exceptions to the doctrine of exhaustion of statutory remedies. First is when the proceedings are taken before the forum under a provision of law which is ultra



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vires, it is open to a party aggrieved thereby to move the High Court for quashing the proceedings on the ground that they are incompetent without a party being obliged to wait until those proceedings run their full course. Secondly, the doctrine has no application when the impugned order has been made in violation of the principles of natural justice. We may add that where the proceedings itself are an abuse of process of law the High Court in an appropriate case can entertain a writ petition.'

23. Considering the above judgments of the Apex Court, this Court is of an opinion that the writ petitioner has not established that there is a violation of principles of natural justice nor there is an error apparent on record. No exceptional circumstances have been established in the present writ petition. If at all, the writ petitioner is aggrieved in respect of the fixing of average rate of royalty payment, then it is left open to them to approach the Disputes Resolution Panel and thereafter, if they are further aggrieved in respect of the fixing of average rate of royalty payment, then they are liberty to approach "the ITAT" constituted for the purpose of adjudicating the issues. This being the efficacious remedy available under the statute for the writ petitioner, there is no reason to entertain a writ petition under Article 226 of the Constitution of India, so as to adjudicate the merits and the demerits now raised before this Court in the present writ petition in respect of fixing of average rate of royalty payment."

15. In the present case on hand, admittedly the writ petitioner was working as a Teacher in the private school. The writ petition is filed challenging the retirement notice. Though the writ petitioner now crossed the age of 65 years, it is left open to her to approach the competent authority under the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 for the purpose of adjudicating the issues. Contrarily, this Court cannot adjudicate such disputes arose on account of the retirement notice issued by the Committee of a Private School recognized under the provisions of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973. This being the principles to be followed, the writ petitioner is at liberty to approach the competent authority as well as the Appellate Authority for the purpose of redressal of her grievance and this Court cannot



directly entertain a writ petition in respect of the retirement notice issued by the Management pursuant to the resolution of the Committee, which is a Private School.

16. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CRL SIDE)

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Sub Assistant Registrar(CS)

krk

To:

1.The Secretary,  
Department of School Education,  
State of Tamil Nadu,  
Fort St.George, Chennai-600 009.

2.The Assistant Elementary Education Officer,  
Office of the AEEO,  
Collector Office Campus,  
Virudhunagar-626 002.

+1CC TO MR.A.JOHN VINCENT, Advocate Sr. No.81666

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 81780

**W.P.(MD) No.13478 of 2014**

**and**

**M.P.(MD) No.1 of 2014**

**13.08.2019**

CS(CO)

TR (29.08.2019) 15P 5C