

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.11684 of 2020
and W.M.P.No.14340 of 2020

S.Jacob Solomon

... Petitioner

.Vs.

1. The Director,
Directorate of Matriculation Schools,
DPI Campus, Chennai-600 006.
2. The Chief Educational Officer,
CEO Office,
Government Girls Model Hr.
Secondary School Campus,
Egmore, Chennai-600 008.
3. The President,
South East India Union of
Seventh Day Adventists Educational
Institutions,
No.197, G.S.T.Road,
Vandalur, Chennai-600 048.
4. Mr.S.Vedhanayagam
Principal,
Seventh Day Adventists Matriculation
Higher Secondary School,
No.16, Valliyammal Road,
Vepery, Chennai-600 007.

... Respondents

Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st, 2nd and the 3rd respondents to implement the order in Ref.Na.No.1460/A3/2019, dated 05.11.2019 passed by the 2nd respondent thereby removing the 4th respondent from the post of Principal 4th respondent School as claimed in the representation dated 02.03.2020.

For Petitioner .. Mr.K.Mohanamurali
For Respondents .. Mr.C.Munusamy,
Spl. Govt. Pleader for R1 and R2
Ms.Gladys Daniel
for Mr.C.Daniel for R4

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition seeking a direction to respondents 1 to 3 to implement the order dated 05.11.2019 passed by the second respondent as against the fourth respondent.

2.Learned counsel appearing for the petitioner seeks relief based upon two grounds namely the fourth respondent has attained the age of superannuation and he is not qualified to hold the post.

3.Learned counsel appearing for the fourth respondent placing reliance upon the Tamil Nadu Recognised Private Schools Regulation Act, 1974 submitted that the fourth respondent has got qualification and power is available for extension for a period of two years by the Director. It is further submitted that the request made by the fourth respondent is pending consideration with the first respondent.

4.Considering the submissions made, we are not inclined to undertake the exercise of finding out the qualification of the fourth respondent nor question of extension as sought for. These two aspects are the matters to be considered by the first respondent.

5.In such view of the matter, we direct the first respondent to dispose of the representation dated 04.12.2019 within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also permitted to give representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order on both the issues viz., qualification and the question of extension. Appropriate orders will have to be passed as indicated above by the first respondent.

6.With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Director,
Directorate of Matriculation Schools,
DPI Campus,
Chennai-600 006
2. The Chief Educational Officer,
CEO Office,
Government Girls Model Hr.
Secondary School Campus,
Egmore, Chennai-600 008.

+2cc to Mr.Daniel & Gladys, Advocate, Sr.No.30992
+1cc to Mr.K.Mohanamurali, Advocate, Sr.No.31073

W.P.No.11684 of 2020

vsn ii (co)
rr ii (06/10/2020)

सत्यमेव जयते

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