



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM:

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

W.P. (MD)No.3054 of 2013

O.N.Hemalatha

... Petitioner

Vs.

1.The District Educational Officer,
Kuzhithurai,
Kanyakumari.

2.The Corporate Manager,
Corporate Management of
Roman Catholic Schools,
"THEDAL"
No.10/8-46C, Bridge Ward,
Near Fire Station,
Kuzhithurai-629 163,
Kanyakumari District.

3.St.Mary's Higher Secondary School,
represented by its Correspondent,
Melpalai, Idaikkode-629 152,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare the Rules in No.C-46/2000 dated 31.10.2000 on the file of the Respondent No.2 as having no force of law to govern the conduct and discipline of the teachers employed in the Government aided minority institution and as illegal and ultra vires of the constitution of India.

For Petitioner: Mr.T.Lajapathi Roy

For R1 : Mrs.S.Srimathi
Special Government Pleader

For R2 & R3 : Mr.P.Muthuvel for M/s.Isaac Chambers

ORDER

The relief sought for in the writ petition is to declare the Rules in No.C-46/2000 dated 31.10.2000 on the file of the second respondent is invalid and cannot have any force of law. In other words, the validity of the Rule is under challenge in the present writ petition.



2.The very same writ petitioner has filed another writ petition in W.P(MD).No.3053 of 2013 challenging the order of dismissal from service. In the said writ petition, this Court directed the writ petitioner to file an appeal to the appellate authority and the said appeal is directed to be disposed of by the appellate authority. Under these circumstances, no further adjudication needs to be undertaken, in respect of the grounds raised in the present writ petition regarding the validity of the Rules, which is under challenge. Thus, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The District Educational Officer,
Kuzhithurai,
Kanyakumari.

+1cc to M/s.Isaac Chambers, Advocate sr.19758
+1cc to Mr.T.Lajapathi Roy, Advocate sr.19279

W.P. (MD)No.3054 of 2013

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_NR (15/10/2020) 2P : 4C