



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.14958 of 2014

M.Celine Mary ... Petitioner

-Vs-

1.The Joint Director,
Higher Secondary Education,
Chennai-6.

2.The District Educational Officer,
Tuticorin.

3.Subbaiah Vidyalayam Girls Higher Secondary School,
Titucorin, Rep by its
Secretary.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings in Na.Ka.No.2967/Aa 3/2013 on the file of the second respondent, dated 28.08.2013 quash the same and direct the respondents 1 and 2 to approve the promotion and the appointment of the petitioner as Head Mistress.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
(for R1 and R2)

ORDER

The petitioner was working in the third respondent, it is an Aided School. She was promoted upto the level of Headmistress in the third respondent school and retired from service. The grievances of the writ petitioner is that her promotion and appointment of the writ petitioner as Headmistress was not approved. The competent authority, namely, the District Educational Officer, found that the promotion was irregularly granted in favour of the writ petitioner in violation of the Rules and therefore, the proposal for approval of appointment of the writ petitioner as Headmistress cannot be granted. As per the department, one



Smt.C.Dhanalakshmi, is a senior most post graduate teacher and therefore, the decision of the School Committee was in violation of the provisions of the Tamil Nadu Recognized Private School (Regulation) Act and Rules.

2.This Court is of the considered opinion that the impugned order was a communication between the District Educational Officer and the Secretary of the Aided school. If at all the petitioner wants to redress the grievances with reference to her approval of appointment as Headmistress, she has to approach the competent appellate authority under the provisions of the Tamil Nadu Recognized Private School (Regulation) Act. Contrarily, she cannot file a writ petition challenging the internal communication shared between the District Educational Officer and the Secretary of the third respondent school. Further, the proposal was rejected in the year 2013, long after the retirement of the writ petitioner. The writ petition itself was filed by the petitioner at the age of 62 years. If at all any grievances exist and the petitioner is advised to redress her grievances, she has to approach the appropriate authority under the provisions of the Act statute.

3.With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1.The Joint Director,
Higher Secondary Education,
Chennai-6.

2.The District Educational Officer,
Tuticorin.

+1 CC to M/s.GP (SR-21727[F] dated 10/11/2020)

W.P. (MD) .No.14958 of 2014
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CK(CO)

TR(23.11.2020) 2P 4C

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