



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.2687 of 2015

and

M.P.(MD)Nos.2 and 3 of 2015

WEB COPY

- 1.Panneer Selvam
- 2.Hendry Johnson
- 3.Sufiya Sulthana
- 4.D.Prabhu
- 5.K.Alrich Premkumar
- 6.K.Periyasamy

... Petitioners

Vs.

- 1.The Principal Secretary,
Educational Department,
Secretariat, Chennai.
- 2.State of Tamil Nadu,
Rep. by the District Collector,
Collectorate, Trichy.
- 3.The Director of School Education,
College Road, Chennai-6.
- 4.The Director of School Education (Elementary),
College Road, Chennai-6.
- 5.The Joint Director of School Education (Secondary),
College Road, Chennai-6.
- 6.The Joint Director of School,
Education Aided Elementary,
College Road, Chennai-6.
- 7.The Chief Educational Officer,
Parent-Teacher Association Building,
Syed Murthusha Higher Secondary School Compound,
Trichy-8.
- 8.The District Educational Officer,
Collector Office Compound,
Trichy-1.



9.The District Elementary Educational Officer,
District Elementary Educational Office,
MRC Complex,
Trichy-620 020.

10.The Assistant Elementary Educational Officer,
Urban Range,
Nandhikoil Street,
Theppakulam,
Trichy-2.

11.C.E.Higher Secondary School,
Rep. by its Correspondent,
Vannarapettai,
Puthur, Trichy-17.

12.C.E.Primary School,
Rep. by its Correspondent,
Vannarapettai,
Puthur, Trichy-17.

13.M.James
Correspondent,
C.E.Higher Secondary School,
Vannarapettai,
Puthur, Trichy-17.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the order passed by the eight respondent dated 07.01.2015 that the 13th respondent's approval with the retrospective effect to function as Correspondent in the 11th respondent School from 01.10.2014 by violating the procedure established by law under the Tamil Nadu Private School Regulations Act is ab-initio, void, illegal by ultra virising the powers of Statute and pass such other further orders, whrere the 13th respondent is involoed on several criminal cases and he is also functioning as Correspondent and Headmaster of the 12th respondent School as this Court may deem fit and proper.

For Petitioners: Mr.N.R.Murugesan

For R1 to R10 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R13 : Mr.P.Muthuvel
for M/s.Isaac Chambers

For R11 & R12 : No appearance



ORDER

The order dated 07.01.2015 granting approval of the appointment of the 13th respondent as Correspondent of the school is sought to be declared as null and void.

2.The learned counsel appearing on behalf of the petitioners mainly contended that the petitioners are teachers and the 13th respondent is taking personal vengeance and initiating actions based on some flimsy allegations. This apart, the retrospective approval granted by the District Educational Officer in favour of the 13th respondent as Correspondent of the School is improper and not in accordance with law.

3.The learned counsel appearing on behalf of the respondents made a submission that the petitioners 1 and 6 were already dismissed from service and other petitioners are working in the school. The suit in this regard is also pending before the District Munsif Court, Trichirpalli in O.S.No.1142 of 2013. Thus, the writ petition is to be dismissed.

4.This Court is of the considered opinion that admittedly, the petitioners are teachers working in the School. The order questioned by them in the present writ petition regarding the approval of the appointment of the Correspondent in the School. The 13th respondent was appointed as Correspondent and the said appointment was approved by the competent educational authorities. The teachers working in the school are no way connected with the approval of the appointment of the Correspondent and then, the suit filed by the aggrieved persons in O.S.No.142 of 2013 is also pending. This being the issues raised, the petitioner has not established any right, so as to grant the relief as such sought for in the present writ petition. Thus, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary,
Educational Department,
Secretariat, Chennai.

2.The District Collector,
Collectorate, Trichy.

3.The Director of School Education,
College Road, Chennai-6.

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Trichy-2.

+1 CC to SGP (SR-22934[F] dated 26/11/2020)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-22794[F] dated
26/11/2020)

W.P.(MD)No.2687 of 2015

24.11.2020

SSS(CO)

NR (04/12/2020) 4P : 13C

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