



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.NO.14206 OF 2011

AND

M.P.NO.2 OF 2011

Thiru Vi.Ka.Hr.Sec.School
Teaching and Non-Teaching
Staff Association,
38 & 39, First Main Road,
Shenoy Nagar, (West)
Chennai - 600 030
Rep. by its Secretary
W. Pual Rajendrakumar.

... Petitioner

Vs.

1. The Government of Tamilnadu
Rep. by its Secretary,
Education Department,
Fort. St. George,
Chennai-9
2. The Joint Commissioner,
Education Department,
Corporation of Chennai,
Ripon Building,
Chennai-3.
- 3.The Director of School Education
College Road,
Chennai.
4. The District Educational Officer,
Chennai (west)
Chennai,
5. The Managing Trustee and Secretary,
Thiru Vi.Ka. Dr.Mu.Va. Educational Trust,
28/29, Shenoy Nagar,
Chennai-600 030.

... Respondents



Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records relating to the order of the 2nd Respondent- Joint Commissioner, Education Department, Corporation of Chennai, in Ka.Thu.Na.Ka.No.B3/4545/2011, dated 27.05.2011, amalgamating the Thiru.Vi.Ka.Higher Secondary Schools, Shenoy Nagar, Chennai with the Chennai Schools, quash the same.

For Petitioner : Mr.S.Giridharan

For Respondents 1 to 4 : No appearance

For Respondent 5 : Mr.Rahul Balaji

O R D E R

The order dated 27.05.2011 issued by the Joint Commissioner, Education Department, Corporation of Chennai is under challenge in the present Writ Petition.

2. The order impugned was issued based on the Judgment of this Court passed in W.P.No.30876 of 2002. The order impugned states that the 5th respondent has to be amalgamated with the Chennai Corporation Education Department, terms and conditions are stipulated.

3. The petitioner in the present Writ Petition is Thiru Vi.Ka.Hr.Sec.School, Teaching and Non-Teaching Staff Association. No doubt, the Staff Associations are functioning for the welfare of the Staffs and Teachers working in the Schools. Amalgamation is a policy decision and in the present case the order impugned was passed based on the Judgment of this Court in the Writ Petition referred above. As far as the Writ Petitioner is concerned, it is a Staff Associations, no doubt they may submit an application for the purpose of protection of their service rights.

4. The learned counsel for the petitioner states that seniority has to be protected. No doubt, the Staff Association is at liberty to submit appropriate representation to the competent authority for the purpose of protection of their service condition and certainly they have no locus standi to question the amalgamation or the other policy decision taken by the competent authority in the matter of School administration.

5. This being the factum, the petitioner is at liberty to submit a representation and also the teachers and staffs in their individual capacity shall submit an application for the



purpose of redressal of their grievances and to protect the service condition.

6. With this liberty the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

shr/kan

To

1. The Government of Tamilnadu
Rep. by its Secretary,
Education Department,
Fort. St. George,
Chennai-9
2. The Joint Commissioner,
Education Department,
Corporation of Chennai,
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Chennai (west)
Chennai,
5. The Managing Trustee and Secretary,
Thiru Vi.Ka. Dr.Mu.Va. Educational Trust,
28/29, Shenoy Nagar,
Chennai-600030.

+1cc to Mr.S.Giridharan, Advocate, S.R.No.63607

W.P.No.14206 of 2011

PL(CO)
PM/16/12/2021