



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.8880 of 2021

M.Suji Anand

...Petitioner

Vs

1. The Bishop cum Chairman,
CSI Coimbatore Diocese,
256, Race Course Road,
Coimbatore.
2. The Secretary,
Diocesan Office,
CSI Coimbatore Diocese,
Coimbatore.
3. The Educational Convenor,
Diocesan Office,
CSI Coimbatore Diocese,
Coimbatore.
4. The Correspondent,
CSI Boys Higher Secondary School,
Erode - 638 001.
5. The Headmaster,
CSI Boys Higher Secondary School,
Erode - 638 001.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent herein to grant an appointment in a permanent post to the petitioner non compassionate grounds in the 4th respondent school or any other school falling under the 1st respondent Diocese by considering the representations given by the petitioner.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.S.Bharathirajan for R4 & R5
No appearance for R1 to R3



O R D E R

This writ petition has been filed to issue a Writ of Mandamus to direct the 1st respondent herein to grant an appointment in a permanent post to the petitioner on compassionate grounds in the 4th respondent school or any other school falling under the 1st respondent Diocese by considering the representations given by the petitioner.

2. According to the petitioner, his father one S.Mohan George served as Secondary Grade Teacher in the 4th respondent School and died on 01.07.2001. His father, according to the petitioner, has served for 30 years of service before his death. In the said circumstances, the petitioner appeared to have submitted a representation seeking to grant appointment on compassionate ground to the post of Physical Education Teacher. After sending repeated representations, the petitioner is before this Court for issuance of Writ of Mandamus.

3. The above Writ Petition has to necessarily fail for the simple reason that the respondents are private body which are not amenable to the jurisdiction of this Court under Article 226 of the Constitution of India and the respondents are private entities, against whom, the Writ Petition is not maintainable at all.

4. Even otherwise, the prayer as such, cannot be countenanced both in law and on facts, for the simple reason that the cause of action arose in 2001, when the petitioner's father had died in harness and the writ petition has been filed only in 2021, after a period of two decades. Such belated and stale claim can never be entertained by this Court, even assuming for a moment that the writ petition is maintainable. The writ petition is filed in the realm of speculation which cannot be countenanced both in law and on facts. Be that as it may, the writ petition of this type against the private body is not maintainable and therefore, on this ground alone, the writ petition has to be rejected outright.

5. Therefore, the Writ Petition is dismissed both on the ground of maintainability as well as on merits. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar



1. The Bishop cum Chairman,
CSI Coimbatore Diocese,
256, Race Course Road,
Coimbatore.
2. The Secretary,
Diocesan Office,
CSI Coimbatore Diocese,
Coimbatore.
3. The Educational Convenor,
Diocesan Office,
CSI Coimbatore Diocese,
Coimbatore.
4. The Correspondent,
CSI Boys Higher Secondary School,
Erode - 638 001.
5. The Headmaster,
CSI Boys Higher Secondary School,
Erode - 638 001.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.63256
+1cc to Mr.S.Bharathirajan , Advocate, S.R.No.63763

W.P.No.8880 of 2021

GJ[co]
NSK 14/12/2021