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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WRIT PETITION NO.21539 OF 2021

Sengodan

... Petitioner

vs.

1. The Chief Educational Officer,
District Collectorate Campus,
Salem.
2. The Headmistress,
Government Higher Secondary School,
Thekkampatti,
Omalur Taluk,
Salem District - 636 012.
3. The Parent-Teacher Association,
represented by its Secretary,
Government Higher Secondary School,
Thekkampatti,
Omalur Taluk,
Salem District 636 012.
4. N.Ravi
5. A.Periasamy
6. P.Kumar
7. A.Kamaraj

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the Respondents 1 and 2 from inducting the Respondents 4 to 7 or any other persons as Office Bearers of the 3rd Respondent Association contrary to the model By-laws and Regulations and further direct the Respondents 1 and 2 to facilitate election or nomination on pure democratic basis adhering to the basic rules of election, for participation of eligible persons in the General Body and the Governing Body of the 3rd Respondent Association in accordance with law and principles of natural justice.



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For Petitioner : Mr.D.Shivakumaran
For Respondents 1 & 2 : Mr.Stalin Abhimanyu,
Addl.Government Pleader
(Education)
For Respondents 4 to 7 : Mr.A.Murugan

ORDER

Petitioner has come up with the present Writ Petition seeking to forbear Respondents 1 and 2 from inducting Respondents 4 to 7 or any other persons as Office Bearers of the 3rd Respondent Association contrary to the model By-laws and Regulations and for a further direction to Respondents 1 and 2 to facilitate election or nomination on pure democratic basis adhering to the basic rules of election, for participation of eligible persons in the General Body and the Governing Body of the 3rd Respondent Association in accordance with law and principles of natural justice.

2. Heard the learned counsel for the parties and perused the material documents available on record.

3. The 1st Respondent has filed counter Affidavit, relevant portion of which, is extracted hereunder:

"6. ... Due to COVID-19, the Schools are closed with effect from March 2020. The students of IX, X, XI and XII Standards only are attending the classes with effect from 01.09.2021. Due steps are taken by the Government of Tamil Nadu to open other Standards with effect from 01.11.2021. After the Schools are opened with full strength, i.e. I to XII Standard, due steps would be taken by the second Respondent to elect the Office Bearers of the Parent Teacher Association in exercise of the powers invested upon her by 17(1) and 17(2) of the by-laws. The first and second Respondents have no plans to appoint the Respondents 4 to 7 as Office Bearers of the Parent Teacher Association. This being the situation, the Petitioner has unnecessarily implicated the first and second Respondents are parties in the instant Writ Petition. ..."

4. As the 1st Respondent has clearly stated in the counter Affidavit that, they have no plans to appoint Respondents 4 to 7 herein as Office Bearers of the Parent Teacher Association, nothing further survives for consideration in this matter.



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5. In view of the above, the Writ Petition is closed. No costs. Consequently, connected W.M.P.No.22750 of 2021 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Chief Educational Officer,
District Collectorate Campus,
Salem.
2. The Headmistress,
Government Higher Secondary School,
Thekkampatti,
Omalur Taluk,
Salem District - 636 012.
3. The Secretary,
The Parent-Teacher Association,
Government Higher Secondary School,
Thekkampatti,
Omalur Taluk,
Salem District 636 012.

+1cc to M/s.D.Shivakumaran, Advocate, S.R.No.69195

+1cc to Mr.A.Murugan, Advocate, S.R.No.68960

+1cc to the Government Pleader, S.R.No.69514

W.P.No.21539 of 2021

RK(CO)
RLP(03/01/2022)