



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.2688 and 4218 of 2010
and

M.P.(MD)Nos.1, 1 and 2 of 2010 and 1 of 2011

W.P. (MD)No.2688 of 2010:-

S.A.Mohammed Mohideen (Died)

- 1.Ummu Salma
- 2.Rahamathunnisa
- 3.Haji Halima
- 4.Abdul Kareem
- 5.Mohammed Yusuf

: Petitioners

Vs.

1. The Director of Elementary Education,
Office of the Directorate of Elementary Education,
College Road, Chennai - 600 006.
2. The Chief Educational Officer,
Tirunelveli.
3. The District Elementary Educational Officer,
Tirunelveli.
4. The District Educational Officer,
Tenkasi, Tirunelveli District.
5. S.A.Abdul Wahab
6. S.M.A.Sherfudeen

: Respondents

(Petitioners 1 to 5 were brought on record as legal representatives of the deceased sole petitioner vide order of this Court, dated 24.01.2012 in M.P.(MD)No.1 of 2012)

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings bearing No.Na.Ka.No.4123/Aa4/09, dated 26.02.2010 issued by the third respondent, namely, District Elementary Educational Officer,

<https://hcservices.mca.gov.in/hcservices>



Tirunelveli and quash the same and to direct the third respondent to recognize and permit the petitioner to function as the manager of the Darussalam Elementary School, Kadayanallur.

For Petitioners : Mr.T.R.Rajagopalan
Senior Counsel
for Mr.P.Thiagarajan
For R1 to R4 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
For R6 : Mr.Saravana Kumar
for Mrs.P.Kalaiyarasi Bharathi

WEB COPY

W.P. (MD)No.4218 of 2010:-

S.A.Mohammed Mohideen (Died)

- 1.Ummu Salma
- 2.Rahamathunnisa
- 3.Haji Halima
- 4.Abdul Kareem
- 5.Mohammed Yusuf

: Petitioners

Vs.

1. The Director of School Education,
Office of the Directorate of School Education,
College Road, Chennai - 600 006.
2. The Chief Educational Officer,
Tirunelveli.
3. The District Educational Officer,
Tirunelveli,
Tirunelveli District.
4. S.A.Abdul Wahab

: Respondents

(Petitioners 1 to 5 were brought on record as legal representatives of the deceased sole petitioner vide order of this Court, dated 24.01.2012 in M.P.(MD)No.1 of 2012)

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings bearing No.Na.Ka.No.37/M3/2010, dated 11.03.2010 issued by the third respondent, namely, District Educational Officer, Tenkasi, Tirunelveli and quash the same and to direct the third respondent to recognize and permit the petitioner to function as the manager of the Darussalam Elementary School, Kadayanallur.



For Petitioners : Mr.T.R.Rajagopalan
Senior Counsel
for Mr.P.Thiagarajan
For R1 to R3 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
For R4 : Mr.Saravana Kumar
for Mrs.P.Kalaiyarasi Bharathi

ORDER

The learned Senior Counsel appearing for the petitioner would submit that there was a dispute between late S.A.Mohammed Mohideen, who is the original petitioner and his power agent, namely, S.A.Abdul Wahab, and the issue has already been settled before the Civil Court, which was also affirmed by the appellate Court in C.M.A.No.4243 of 2009 on the file of the District Court, Tirunelveli, dated 30.12.2009 and subsequently, the legal heirs of the original petitioner were impleaded vide order of this Court and thereafter, after adjudication, the original petitioner's rights were recognised by the educational authorities. Hence, nothing survives for further adjudication in these Writ Petitions.

2.Accordingly, these Writ Petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

To

1. The Director of School Education,
Office of the Directorate of School Education,
College Road, Chennai - 600 006.
2. The Director of Elementary Education,
Office of the Directorate of Elementary Education,
College Road, Chennai - 600 006.
3. The Chief Educational Officer,

<https://hcservices.courts.gov.in/hcservices/>



4. The District Educational Officer,
Tirunelveli, Tirunelveli District.

5. The District Elementary Educational Officer,
Tirunelveli.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR Nos. 1090 & 1091
+ 2 CC to Mr.P.THIYAGARAJAN, Advocate (SR-1480 & 1481[F] dated
20/01/2021)

CMR

TE : 01/02/2021 : 4P/9C

W.P. (MD)Nos.2688 and 4218 of 2010 and
M.P. (MD)Nos.1, 1 and 2 of 2010 and 1 of 2011
21.01.2021