



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.(MD)No.18324 of 2018

and

W.M.P.(MD)No.16196 of 2018

A.Perpetual Jenifer

...Petitioner

/Vs./

- 1.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
- 2.The District Educational Officer,
Nagercoil,
Kanyakumari District.
- 3.The Superintendent,
RC Schools,
Diocese of Kottar,
Nagercoil 629 001.
- 4.The Correspondent,
Saint Soosaiappan High School,
Rajakamangalam Durai Post,
Kanyakumari District.
- 5.Antony Shaya Peniston.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd and 4th respondents to appoint the petitioner in the Vacant post of Graduate Assistant in Maths at Saint Soosaiappan High School, Rajakamangalam Durai Post, Kanyakumari District, and consequently direct the 1st and 2nd respondents to approve the appointment.

For Petitioner : Mr.F.Deepak
For R1 & R2 : Mr.V.Om Prakash
Government Advocate
For R3 & R4 : Mr.P.Muthuvel
For M/s.Isaac Chambers
For R5 : No appearance



ORDER

The petitioner seeks a mandamus directing the third and fourth respondents, ie., the Superintendent of RC Schools, Diocese of Kottar, and Correspondent of Saint Soosaiappan High School, to appoint the petitioner in a vacant post of Graduate Assistant in Maths at R4 School, and directing the first and second respondents to approve her appointment.

2.The matter of appointment or otherwise is subject to the existence of vacancies, if any, in the Institution in question as well as the candidate possessing the necessary qualification for the post. This Court cannot, by way of mandamus, compel such an exercise.

3.Mr.Antony Shaya Peniston is arrayed as R5 and I am given to understand that R5 has been appointed as a Graduate Assistant. If at all the petitioner was aggrieved with such appointment, the order of appointment ought to have been challenged. Hence, the wide relief as sought for cannot be considered and this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note In view of the present lock down owing to
: COVID-19 pandemic, a web copy of the
order may be utilized for official
purposes, but, ensuring that the copy of
the order that is presented is the
correct copy, shall be the responsibility
of the advocate/litigant concerned.

To

- 1.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
- 2.The District Educational Officer,
Nagercoil,
Kanyakumari District.



+1 CC to M/s.SPL GP (SR-37193[F] dated 03/12/2021)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-37259[F] dated 03/12/2021)

WEB COPY

+1 CC to M/s.F.DEEPAAK, Advocate (SR-37159[F] dated 03/12/2021)

Order made in
W.P.(MD)No.18324 of 2018
Dated: 02.12.2021

nsn(CO)

TR(01.02.2022) 3P 6C