



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 4909 of 2022

and

W.M.P. No. 5059 of 2022

B.Sivarajan

... Petitioner

-vs-

1. The State of Tamil Nadu
Rep. by its Secretary
Education Department
Fort St. George, Chennai - 600 009.
2. The Commissioner (Higher Secondary)
D.P.I. Compound
College Road, Chennai - 600 006.
3. The Joint Director
School Education Higher Secondary
D.P.I. Compound
College Road, Chennai - 600 006.
4. The Chief Educational Officer
Thalla Kulam, Madurai - 625 002.
5. The District Educational Officer
Hakim Ajmal Khan Road
Chinna Chokikulam, Madurai
Tamil Nadu - 625 002.
6. The Correspondent
St. Mary's Higher Secondary School
Madurai - 625 001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents, not to insist all and every proceedings /instructions issued contrary to Private School Regulation Act, 1973 and Rules 1974, framed in the matter of staff fixation thereunder and further direct the Fourth and Fifth Respondents to make necessary modifications in



the staff fixation to restore its original status for the year commencing from 2009-10 onwards, with reference to Rule 15 of Private School Regulation Rules, 1974 and G.O. Ms. No. 525 dated 29.12.1997, taking account of the student strength - section wise and further direct the First and Second Respondents to evaluate the Educational certificates of the Petitioner for its genuineness and approve the appointment of the Petitioner with reference to various representation on this account and particularly, representation dated 08.12.2021, of the Sixth Respondent School, on the insistence of the Petitioner, as Physical Education Teacher with all attendant, seniority, monetary and also other benefits attached to the post, with effect from 01.12.2010, being the date of his appointment.

For Petitioner : Mr. C.Johnson

For Respondents : Mr. Stalin Abhimanyu
Additional Government Pleader (Edn)

O R D E R

Since the Petitioner has not shown any specific violation of any statutory provision and the relief sought is vague, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to workout his remedies with specific details and clear relief before the appropriate forum in accordance with law. He has also made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Maya



To

1. The Secretary
Education Department
Fort St. George, Chennai - 600 009.
2. The Commissioner (Higher Secondary)
D.P.I. Compound
College Road, Chennai - 600 006.
3. The Joint Director
School Education Higher Secondary
D.P.I. Compound
College Road, Chennai - 600 006.
4. The Chief Educational Officer
Thalla Kulam, Madurai - 625 002.
5. The District Educational Officer
Hakim Ajmal Khan Road
Chinna Chokikulam, Madurai
Tamil Nadu - 625 002.
6. The Correspondent
St. Mary's Higher Secondary School
Madurai - 625 001.

+1cc to Mr.C.Johnson, Advocate, S.R.No.14903

W.P. No. 4909 of 2022

SPD(CO)
SU(05/04/2022)