



WEB COPY

W.P.No. 17642 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 17642 of 2017

and

W.M.P.No. 19146 of 2017

M. Thiruvankadam

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Petitioner

Vs

1. Directorate of School Education

Represented by its Director,
DPI Complex, College Road,
Chennai – 600 006.

2. Directorate of Matriculation Education,

Represented by its Director,
DPI Campus, College Road,
Chennai – 600 006.

3. ICF School Managing Committee,

Represented by its Chairman,
I.C.F. Chennai – 600 038.

4. Manager/Correspondent,

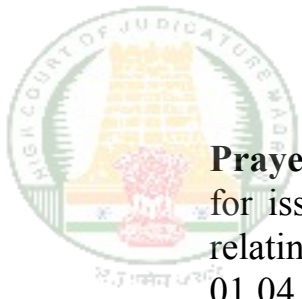
ICF Silver Jubilee Matriculation,
Higher Secondary School,
Chennai – 600 038.

5. Principal,

ICF Silver Jubilee Matriculation,
Higher Secondary School,
Chennai – 600 038.

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Respondents



Prayer : Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to relieving order made in ICFSJMHSS/2016-2017, dated 01.04.2017 and served on 01.06.2017 by the Manager/Correspondent, ICF Silver Jubilee Matriculation Higher Secondary School, Chennai – 600 038, the fourth respondent herein and consequently issue appropriate directions directing the respondents 3 to 5 herein to allow the petitioner to work as B.T. Assistant/Social Science Teacher in the fourth respondent School with all service benefits.

For Petitioner	: Mr. N. Damodaran
For Respondents	: Mrs. S. Mythreye Chandru Special Government Pleader for respondents 1 and 2 Mr. P.T. Ramkumar for Railways for respondents 3 to 5

ORDER

The order of relieving the writ petitioner from services as teacher in proceedings dated 01.04.2017, is under challenge in the present writ petition.

2. The petitioner was appointed as a teacher in the fifth respondent I.C.F. Silver Jubilee Matriculation Higher Secondary School, which is a private management. The management committee was registered under the Societies Registration Act. Thus, it is private institution and being a Matriculation Higher Secondary School, they are governed under the Rules pertaining to Matriculations schools in the State of Tamil Nadu. As per the



said Rules, the petitioner has to approach the appellate authority under the provisions of the said Matriculation School Rules for redressal of his grievances. Disputed facts cannot be adjudicated in a writ proceedings and such adjudication is to be done with reference to the documents and evidences.

3. The petitioner was relieved from service in the year 2017 and this being the factum, the petitioner is at liberty to approach the competent authority under the Matriculation School Rules and in the event of any such approach, the authorities competent shall take into consideration the period during which the writ petition was pending before this Court for condoning the delay and adjudicate the issue on merits and in accordance with law as expeditiously as possible.

4. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.12.2022

mrn
Index : Yes / No
Speaking order / Non-Speaking order



To

1. The Directorate of School Education
Represented by its Director,
DPI Complex, College Road,
Chennai – 600 006.
2. The Directorate of Matriculation Education,
Represented by its Director,
DPI Campus, College Road,
Chennai – 600 006.
3. The Chairman,
ICF School Managing Committee,
I.C.F. Chennai – 600 038.
4. The Manager/Correspondent,
ICF Silver Jubilee Matriculation,
Higher Secondary School,
Chennai – 600 038.
5. The Principal,
ICF Silver Jubilee Matriculation,
Higher Secondary School,
Chennai – 600 038



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S.M.SUBRAMANIAM, J.

mrn

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