



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) No.14052 of 2009

and

M.P (MD) Nos.1 and 2 of 2009

R.Umayavel Arumuganathan

... Petitioner

Vs

1.The Joint Director of School Education
(Secondary Education),
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Tuticorin.

3.The District Educational Officer,
Tuticorin District,
Tuticorin.

4.R.Parthiban

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari, calling for the entire records relating to the impugned order passed by the first respondent in Mu.Mu.NO.57695/G4/2004, dated 22.09.2006 recognising the change of educational agency for Hindu Ganapathy Kasinathan High School as K.Thangammal Puram Hindu Ganapathy Kasinathan Ninaivu Kalvichangam and consequent order passed by the third respondent in Na.Ka.No.521/A3/2008, dated 31.01.2008 and quash the same.

For Petitioner : Mr.Mr.V.Boominathan

For Respondent : Mr.D.Gandhiraj,
Nos.1 to 3 Special Government Pleader

For Respondent : Mr.S.Anwar Sameem
No.4

ORDER

This writ petition is filed as against the proceedings of the Joint Director of School Education (Secondary Education) in Mu.Mu.No.57695/G/04, dated 22.09.2006.

2.Vide the impugned order, the first respondent Joint Director based on the legal opinion has granted approval for change of the name of the educational agency from K.Thangammal Hindu



Ganapathi Kasinathan High School to Hindu Ganapathy Kasinathan Memorial Educational Association, pending the second appeals in S.A.Nos.408 of 2005 and 260 of 2005.

3.It is also represented that in respect of a judgment in O.S.No.63 of 1996, two appeals were filed by the different parties in A.S.Nos.17 and 20 of 2002 and they were disposed of by judgment dated 21.12.2004. Challenging the same, two second appeals are filed before this Court in S.A(MD)Nos.408 and 260 of 2005.

4.Heard the learned Counsel on either side and perused the materials placed on record.

5.It is seen from records that the writ petition in W.P(MD) No.14052 of 2009 and S.A(MD)Nos.408 and 260 of 2005 are tagged together by administrative order dated 21.10.2016.

6.According to the learned Counsel for the petitioner, the school was established by the Trust namely, Hindu Ganapathy Kasinathan Memorial Association and now the school is under direct payment system. The first respondent vide impugned order has permitted the fourth respondent to change the educational agency name and that too based on the legal opinion of the Government Advocate.

7.Though the second appeals are listed today, the learned Counsel on either side are not ready to proceed with the second appeals. The writ petition is filed in the year 2009. The order impugned in this writ petition is an approval for change of the educational agency name.

8.In the light of the above, this writ petition is disposed of with liberty to the petitioner to work out his remedy on the disposal of the second appeals. However, the change of the educational agency's name is subject to the result of the second appeals in S.A(MD)Nos.408 and 260 of 2005. No costs. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Dsk



To

1.The Joint Director of School Education
(Secondary Education),
College Road, Chennai - 600 006.

2.The Chief Educational Officer,
Tuticorin.

3.The District Educational Officer,
Tuticorin District,
Tuticorin.

+1 CC to M/s.V. BOOMINATHAN, Advocate (SR-20327[F] dated 22/04/2022)

+1 CC to M/s.SPL.GP (SR-20889[F] dated 25/04/2022)

W.P (MD) No.14052 of 2009
21.04.2022

RD(21.06.2022) 3P 6C