



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.03.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.1611 of 2022

and

W.M.P (MD)No.1400 of 2022

WEB COPY

A.Jeyasanthini

... Petitioner

Vs.

1. The Chief Educational Officer,
Madurai District,
Madurai.

2. The District Educational Officer,
O/o. the District Educational Officer,
Thirumangalam, Madurai District.

3. The Secretary,
P.K.N Higher Secondary School,
Thirumangalam-625 706,
Madurai District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order dated 12.12.2020 on the file of the respondent No.3 and quash the same as illegal.

For Petitioner	: Mr.S.Louis
For Respondents	: Mr.G.V.Vairam Santhosh
R1&R2	Additional Government Pleader

ORDER

The order of punishment issued by the third respondent private aided school management is under challenge in the present writ petition.

2.In respect of the original order of punishment passed by the management of private aided school, the petitioner has to prefer statutory appeal under Section 23 of the Tamil Nadu Recognised **Private Schools (Regulation) Act (hereinafter referred as "the Act" in short)**. Even a second appeal is contemplated under Section 24 of the Act before the Tribunal constituted and the Principal Judge has been designated for entertaining the appeals under Section 24 of the said Act. When an efficacious remedy before the competent authority and the judicial forum are available, the High Court need not entertain the writ petition as further adjudication of such disputed



facts required original documents and evidence.

3. In view of the fact that departmental disciplinary proceedings are initiated against the private aided school management adjudication of facts are imminent and such an adjudication is to be undertaken by the competent appellate authorities and not by the High Court in a writ proceedings.

4. This being the factum, the petitioner is at liberty to approach the competent appellate authority and the Tribunal thereafter, if required under Sections 23 and 24 of the Act for redressal of her grievances. In the event of preferring any such appeal, the period in which the writ petition was pending before the High Court is to be taken into consideration for the purpose of condoning the delay if any and the issues are to be adjudicated on merits and in accordance with law by scrutinizing the documents and evidence and by affording an opportunity to all the parties concerned.

5. In view of the above, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ns

To

1. The Chief Educational Officer,
Madurai District, Madurai.
2. The District Educational Officer,
O/o. the District Educational Officer,
Thirumangalam, Madurai District.
3. The Secretary,
P.K.N Higher Secondary School,
Thirumangalam-625 706, Madurai District.

+1 CC to M/s.SPL GP (SR-9771[F] dated 03/03/2022)

+1 CC to M/s.S.LOUIS, Advocate (SR-9817[F] dated 03/03/2022)

W.P. (MD)No.1611 of 2022

02.03.2022

RD(24.03.2022) 2P 6C

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