



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P. (MD)No.7484 of 2015

and

M.P. (MD)No.2 of 2015

WEB COPY

Dr.T.S.Emmanuel

... Petitioner

vs

1. The Director of College
Education, College Road, Chennai.

2. The Joint Director of College
Education, Tirunelveli Region, Tirunelveli.

3. The Registrar,
Manmoniam Sundaranar University, Tirunelveli.

4. The Kanyakumari Diocese
represented by its Bishop, CSI Diocesan Office,
No.71-A, Dennis Street, Nagercoil,
Kanyakumari District.

5. The Nesamany Memorial Christian College,
represented by its Correspondent,
Marthandam, Kanyakumari District.

6. Dr.J.Thambi Thangakumaran
Nesamany Memorial Christian College,
Marthandam, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 4th respondent herein pertain to its order bearing No.B/0945/2014 dated 13.10.2014 and quash the same and consequently direct the respondents 3 and 4 to appoint the petitioner as Principal of the 5th respondent college by considering the application of the petitioners dated 27.09.2014.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.V.Omprakash for R1 & R2

Government Advocate (Civil side)

M/S.Sumitha for R3

for Ajmal Associates

Mr.C.Karthikeyan for R4 to R6

for M/S.Isaac Chamber



O R D E R

This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 13.10.2014 with consequential prayer to direct the third and fourth respondents to appoint the petitioner as Principal of the fifth respondent College by considering the application of the petitioner dated 27.09.2014.

2. It is submitted that the petitioner is challenging the appointment of the sixth respondent. The sixth respondent has attained superannuation and also retired from the said post. It is seen that the petitioner's age is 56 years at the time of filing this writ petition and the petitioner has also attained superannuation. The petitioner is seeking the post of Principal in the fifth respondent College. The fifth respondent College is a minority Institution and the College has every right to appoint any candidates as per their rules and regulations. Therefore, this Court has no jurisdiction to enter into the Administration of the minority Institutions. Moreover, the petitioner has also attained superannuation. Therefore, nothing survives for adjudication,

3. Hence, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

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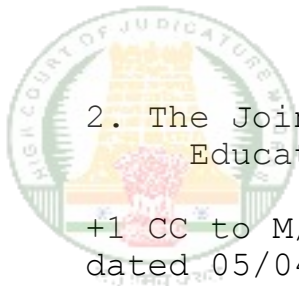
Sub Assistant Registrar(CS)

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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 Director of College
Education, College Road, Chennai.



2. The Joint Director of College
Education, Tirunelveli Region, Tirunelveli.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-16614[F]
dated 05/04/2022)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-16470[F]
dated 05/04/2022)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-16962[F] dated 06/04/2022)

+1 CC to M/s.SPL.GP (SR-16725[F] dated 05/04/2022)

Order made in
W.P. (MD)No.7484 of 2015
04.04.2022

NSN (CO)
GC (05.05.2022) 3P 7C