



*W.P.(MD)No.61 of 2017*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.11.2022**

CORAM

**THE HON'BLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD)No.61 of 2017**

**and**

**M.P.(MD)Nos.43 & 44 of 2017**

T.D.Dencilin Kavitha Mini

... Petitioner

vs.

1. The State of Tamil Nadu,  
represented by its Secretary,  
Department of Social Welfare and Nutritious  
Meal Programme Department,  
Fort St.George,  
Chennai – 600 009.
2. The State Commissioner for the Differently Abled,  
Jawaharlal Nehru Inner Ring Road,  
K.K.Nagar,  
Chennai – 600 078..
3. The District Differently Abled Welfare Officer,  
District Differently Abled Welfare Office,  
Nagercoil,  
Kanyakumari District.



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4. The Administrative Committee of the C.S.I  
Kanyakumari Diocese,  
71-A, Dennis Street,  
Nagercoil – 629 001,  
Kanyakumari District,  
represented by its Administrative Secretary.
5. The Churches Council for Child and Youth Care  
Projects (CCCYC),  
C.S.I. Kanyakumari Diocese,  
C.S.I. Diocesan Office,  
& 1-A, Dennis Street,  
Nagercoil – 629 001.  
Kanyakumari District,  
Represented by its Project-holder-cum-Bishop.
6. The Project Co-ordinator,  
CCCYC Projects,  
C.S.I. Kanyakumari Diocese,  
Diocesan Office,  
71-A, Dennis Street,  
Nagercoil – 629 001.  
Kanyakumari District.
7. Bishop Gnanadason Arivu Illam,  
Chithrancode – Zion Hill,  
Manalikai,  
Kanyakumari District – 629 164,  
represented by its Manager-cum-Correspondent
8. Geetha ... Respondents



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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the fifth respondent, pertaining to its order in Ref.No. 72/16/BC/CSI-BCC/KKD, dated 10.11.2016 on its file and its consequential order in Ref.No. 75/16/PC/CSI-BCC/KKD, dated 22.11.2016 on its file, quash the same, directing the respondents 4 to 7 to appoint the petitioner as Secondary Grade Teacher in the Government aided Vacant post in the seventh respondent Institution

For Petitioner : Mr.K.N.Thambi

For R1 to R3 : Mr.C.Baskaran  
Government Advocate

For R4 to R6 : Mr.Deepak

For R8 : Mr.Russel Raj

### **ORDER**

When the writ petition was taken up for hearing, the learned Counsel appearing for the petitioner submitted that compromise was entered into between the parties. To this effect, Joint Memo is filed and it has been extracted hereunder:



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### Joint Memo

*“It is respectfully submitted as follows:*

*1. The above writ petitioner has been filed for a Writ of Certiorarified Mandamus, any other writ, direction or order in the nature of writ, calling for the records of the fifth respondent, pertaining to its order in Ref.No.72/16/BC/CSI-BCC/KKD, dated 10.10.2016 on its file, appointing the 8<sup>th</sup> respondent as Secondary Grade Teacher in the 7<sup>th</sup> respondent institution and it consequential order in Ref.No. 75/16/PC/CSI-BCC/KKD dated 22.11.2016 on its file and quash the same, directing respondents 4 to 7 to appoint the petitioner as Secondary Grade Teacher in the Government aided vacant post in the 7<sup>th</sup> respondent institution within a time to be fixed by this Honourable Court. The writ petition has been admitted and interim order therein has been granted.*

*2. Subsequent to the filing of the writ petition, some development have taken place, as follows. The husband of the 8<sup>th</sup> respondent passed away and the 8<sup>th</sup> respondent, who is left with only a short span of period of service, has been widowed, with nobody to look after here. On the intervention and advice of well-wishers and the management of the 7<sup>th</sup> respondent institution, the petitioner has taken pity on the 8<sup>th</sup> respondent and an amicable settlement of the dispute is arrived at, whereby the parties agree that the 8<sup>th</sup> respondent may serve in the aided post in the 7<sup>th</sup> respondent institution till her retirement on superannuation and on her being relieved from the post, the petitioner shall be appointed in the said aided post of Secondary Grade Teacher in the 7<sup>th</sup>*



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*respondent institution.*

*It is, therefore, prayed that this Court may be pleased to dismiss the above writ petition as per this memo, making this memo part of the final order in the writ petition and render justice.”*

2. The concerned parties have signed which is attested by the Advocates. Recording the said submission, this Writ Petition is allowed in terms of the compromise. No costs. Consequently, connected miscellaneous petitions are closed.

**28.11.2022**

Index : Yes / No  
Internet : Yes / No  
jbr



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**S.SRIMATHY, J**

jbr

Order made in  
W.P.(MD)No.61 of 2017

**28.11.2022**