



W.P.No.5170 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5170 of 2023

S.Anthonyraj

.. Petitioner

Vs

- 1 The Principal Secretary
O/o the Department of School Education
Secretariat, Chennai - 600 009.
- 2 The Commissioner
O/o the Commissionerate of School Education
College Road, Nungambakkam
Chennai - 600 008.
- 3 The Director
O/o the Directorate of Primary Education
Subhaa Avenue, Nungambakkam
Chennai - 600 008.
- 4 The Director
O/o The Directorate of Vigilance And Anti-Corruption
(DVAC), No. 293, M.K.N Road, Alandur
Chennai - 600 016.



W.P.No.5170 of 2023

- 5 The Chief Education Officer
Unnamed Road, Kooraikundu
Virudhunagar
Tamil Nadu - 626 002.
- 6 The District Education Officer
Kaliyappa Nagar, Satchiyapuram
Sivakasi, Virudhunagar District - 626 123.
- 7 P.Indirani
8 A.Muniasamy
9 S.Manickam

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the second respondent to consider the petitioner's representation dated 15.12.2022 and forwarded to the fourth respondent for conducting a detailed enquiry for the appointment of the 8th respondent (*sic.* 9th respondent).

For the Petitioner : Mr.G.Anbalagan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent
Nos.1 to 3, 5 and 6

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

S.Anthonyraj, son of Soosaimanickam, a resident of Tiruthangal, Virudhunagar District, has filed this writ petition



W.P.No.5170 of 2023

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seeking issuance of a writ of mandamus directing the second respondent to consider the petitioner's representation dated 15.12.2022 and the complaints of the petitioner forwarded to the second respondent by the fourth respondent on 14.11.2022 and 18.11.2022, and conduct a detailed enquiry with regard to the appointment of the ninth respondent as the Secretary of Kalaimangal Primary School; Kalaimagal Higher Secondary School; and, S.N.G. Ladies Higher Secondary School.

2. The affidavit filed in support of the writ petition shows that there are five schools run by Tiruthangal Hindu Nadar Uravinmurai, out of which three schools, namely, (i) Kalaimagal Primary School; (ii) Kalaimagal Higher Secondary School; and (iii) S.N.G.Ladies Higher Secondary School; are run with the financial assistance of the Government of Tamil Nadu. It is averred that the ninth respondent, S.Manickam, was selected by the members of the Administrative Committee as the Secretary on 27.3.2022 for administration of the aforesaid three schools. It is alleged that the ninth respondent up to 21.9.2022 did not furnish the certificates



W.P.No.5170 of 2023

WEB COPY

pertaining to his qualification to the Education Department, as he was doing money-lending business in an illegal way with the aid of hooligans and did not possess any experience in teaching or non-teaching field. It is further pleaded that the ninth respondent is involved in two murder cases. When the background of the ninth respondent shows that he is not competent and morally qualified, his appointment as the Secretary is unacceptable. Therefore, the petitioner sent a representation to the second respondent on 15.12.2022. As the said representation did not evoke any response, the petitioner has been advised to file the present writ petition.

3. A bare perusal of the affidavit does not show a whit of material to substantiate the plea of the petitioner that the ninth respondent is facing murder charges. Neither a copy of the First Information Report, nor a copy of the Charge Sheet filed against the ninth respondent has been produced before this court. Based on mere vague assertions, this court cannot exercise jurisdiction under Article 226 of the Constitution of India.



W.P.No.5170 of 2023

4. For the foregoing reasons, the writ petition is dismissed.

There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
23.02.2023

Index : No
Neutral Citation : No
sasi

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W.P.No.5170 of 2023

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(sasi)

W.P.No.5170 of 2023

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