



W.P.No.15982 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15982 of 2010
and M.P.1 of 2010

A.Johnsy

...Petitioner

-Vs-

1. The Joint Director of School Education
(Secondary) Chennai – 6.

2. The Chief Educational Officer,
Udhagamandalam,
The Nilgiris District.

3. The District Educational Officer,
Coonoor,
The Nilgiris District.

4. The Correspondent,
St. Joseph Boys High School,
Wellington Barracks,
The Nilgiris District.

5. T.Nelson Jagadeesh,
Tamil Pandit,
St. Joseph Boys High School,
Wellington Barracks,
The Nilgiris District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the



W.P.No.15982 of 2010

records pertaining to the Order No.Nill dated 18.06.2010 passed by the fourth respondent and quash the same and direct the fourth respondent to promote the petitioner as Tamil Pandit, with all the benefits from the date on which the fifth respondent was appointed and to confer all the consequential benefits on the petitioner. *(Prayer amended as per order dated 27.11.2017 passed by this Court in W.M.P.No.38632 of 2016 in W.P.No.15982 of 2010)*

For Petitioner : Mr.K.A.Mariappan
For Mr.A.Kunjammal
For Respondents
For R1 to R3 : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
For R4 & R5 : Ms.Arul Mary

ORDER

The writ petition has been filed challenging the order of the fourth respondent in Order No.Nill dated 18.06.2010, thereby appointing the fifth respondent to the post of Tamil Pandit.

2. The petitioner had joined as Secondary Grade Teacher in St. Joseph Middle School, Wellington, on 18.08.1988. Thereafter, the petitioner was transferred and posted in the fourth respondent school on 01.06.1992. He was awarded selection grade during 1998 and special grade in the year 2008. In the meanwhile, he acquired B.Litt degree in



W.P.No.15982 of 2010

the month of May 2007. Therefore, he was qualified to be promoted to the post of Tamil Pandit. Due to the retirement of the incumbent, the petitioner requested the fourth respondent to appoint him as Tamil Pandit. Since the same was not considered, the petitioner filed the present writ petition. While pending the writ petition, the fifth respondent was appointed as such the prayer has been amended and challenged the appointment of the fifth respondent.

3. Heard the learned counsel appearing on either side and perused the material placed before this Court.

4. On perusal of the counter affidavit filed by the fourth respondent revealed that the post of Tamil Pandit had arose because of the retirement of one Muthumani with effect from 31.05.2010 in the fourth respondent school. The fourth respondent is being the minority institution and having more than 41 schools afforded opportunity and the applications were called for the the said post of Tamil Pandit. An interview was scheduled on 16.06.2010 and three eligible candidates including the petitioner were participated in the interview.



W.P.No.15982 of 2010

WEB COPY

5. After following the selection criteria, the fifth respondent was selected to the post of Tamil Pandit, hence he scored more marks than the petitioner. Further after appointment of the fifth respondent, his appointment was approved by the third respondent. Therefore, this Court finds no infirmity or illegality in the appointment of the fifth respondent and therefore, the prayer sought for in this writ petition devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

16.08.2023
(2/2)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order

rts



W.P.No.15982 of 2010

To
WEB COPY

1. The Joint Director of School Education,
(Secondary) Chennai – 6.
2. The Chief Educational Officer,
Udhagamandalam,
The Nilgiris District.
3. The District Educational Officer,
Coonoor,
The Nilgiris District.
4. The Correspondent,
St. Joseph Boys High School,
Wellington Barracks,
The Nilgiris District.



WEB COPY



W.P.No.15982 of 2010

G.K.ILANTHIRAIYAN. J.

rts

W.P.No.15982 of 2010
and M.P.1 of 2010

16.08.2023
(2/2)