



WEB COPY



W.P.No.25287 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

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

W.P.No.25287 of 2023
and W.M.P.No.24697 of 2023

T.Victor Solomon

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Petitioner

Vs

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

2. The District Educational Officer,
Thirupattur, Thirupattur District.

3. The Secretary-cum-General Treasurer,
Indian Evangelical Lutheran Church,
No.47, Eldams Road,
Teynampet, Chennai – 600 018.

4. The Secretary,
Ambur Synod,
IELC Compound,
Ambur.

5. The Convener (Educational Committee)
Ambur Synod,
IELC Compound,
Ambur.

6. The Correspondent,
Concordia Higher Secondary School,
Ambur – 635 802.

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Respondents



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Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for Writ of Mandamus, directing the respondents to promote the petitioner as Headmaster of 6th respondent Concordia Higher Secondary School, Ambur, on the basis of seniority and performance and as per Constitution and amended By-laws as IELC, 2022.

For Petitioner : Mr.S.N.Ravichandran
For R1 & R2 : Mr.P.Baladhandayutham
Special Government Pleader
For R3 to R6 : Mr.B.Gopalakrishnan

ORDER

This Writ Petition has been filed for direction directing the respondents to promote the petitioner as Headmaster of 6th respondent School on the basis of seniority.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 & 2, the learned counsel appearing for the respondents 3 to 6 and perused the materials available on record.

3. The petitioner was working as senior most teacher and there is vacancy for the post of Headmaster in the 6th respondent School. In order to post the petitioner as Headmaster, the respondents 3 to 6 were recommended the name of the petitioner. Therefore, the petitioner made representation before the 6th respondent to appoint him as Headmaster. On



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receipt of the same, the 6th respondent forwarded the same to the 4th & 5th respondents.

4. The learned counsel appearing for the respondents 3 to 6 submitted that so far, name of the petitioner was not recommended to the post of Headmaster. It is not a matter of right for the petitioner seeking the post of Headmaster without recommendation of the respondents 3 to 6 herein. Therefore, this Court cannot issue any direction to the respondents 3 to 6 to consider the name of the petitioner to the post of Headmaster. Therefore, the prayer sought for in this Writ Petition cannot be considered and it is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. However, as per the seniority, if the petitioner is entitled to the post of Headmaster, the respondents 3 to 6 are directed to consider the request of the petitioner. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

28.08.2023

Internet : Yes
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

1. The Chief Educational Officer,
Thirupattur, Thirupattur District.
2. The District Educational Officer,
Thirupattur, Thirupattur District.

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