



WEB COPY



W.P.No.28491 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28491 of 2018 and
W.M.P.Nos.33239 of 2018 and 3259 of 2020

Mr.K.Thirumaran
S/O.Krishnan,
The Secretary,
Kalaivani Aided Elementary School,
No.15, Thangalla Ramasamy Street,
Dharnampet, Gudiyatham,
Vellore District.

...Petitioner

vs.

1. The Director of Elementary Educational Officer,
The Tamilnadu Elementary Educational Office,
D.P.I.Campus, Nungambakkam,
Chennai – 600 008.
2. The Chief Educational Officer,
Collectorate Campus,
Sathuvachari, Vellore District – 632 004.
3. The District Educational Officer,
Vaniyambadi Educational District,
Vaniyambadi, Vellore District.
4. The Block Educational Officer,
Assistant Elementary Educational Office,
Gudiyatham – 635 803,
Vellore District.



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5. Mr.K.Nandhakumar (Deceased)

6. M.Uma

7. N.Senthil Kumar,
S/o. K.Nandhakumar, Minor rep.
by his mother Mrs.M.Uma

8. N.Dharshini @ Dakshitha,
D/o.K.Nandhakumar, Minor rep.
by her mother Mrs.M.Uma

*(R6 to R8 substituted as Lrs of deceased
fifth respondent vide order
dated 27.03.2023 made in
W.M.P.No.9264/2023 in W.P.No.28491/ 2018)*

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, calling for the entire records connected with the impugned order passed by the 3rd respondent in Na.Ka.No.855/Aa3/2018 dated 24.09.2018 served on 05.10.2018 and quash the same thereby directing the respondents to permit the petitioner to act as Secretary of Kalaivani Aided Elementary School at No.15, Thangalla Ramasamy Street, Dharnampet, Gudiyatham, Vellore District.

For Petitioner	: Mr.K.Mohana Murali
For R1 to R4	: Mr.U.Baranidharan, AGP
R6 to R8	: Mr.R.D.Ashok Kumar for Mr.S.N.Ravichandran



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order passed by the 3rd respondent in Na.Ka.No.855/Aa3/2018 dated 24.09.2018 served on 05.10.2018 and quash the same thereby directing the respondents to permit the petitioner to act as Secretary of Kalaivani Aided Elementary School at No.15, Thangalla Ramasamy Street, Dharnampet, Gudiyatham, Vellore District.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submits that as against the impugned order in this writ petition, the petitioner preferred an appeal before the Chief Educational Officer / second respondent which is pending adjudication. Hence, the second respondent may be directed to dispose of the appeal as expeditiously as possible.

3. The learned counsel for the respondents 1 to 4 does not object to the request of the petitioner as well as the suggestion of this Court in directing the second respondent in disposing of the appeal after hearing the petitioner and the private respondents.



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4. The learned counsel for respondents 6 to 8 submits that the respondents 6 to 8 may be heard while disposing the appeal.

5. Heard both sides.

6. In the light of the above, the petitioner is directed to send a copy of this order along with the copy of the appeal before the second respondent. Upon receipt of the same, the second respondent is directed to dispose of the appeal after hearing the petitioner as well as the private respondent ie., respondents 6 to 8 in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. The Status quo granted by this Court on 09.11.2018 shall continue for a period of twelve (12) weeks or till the disposal of the appeal. No costs. Consequently connected miscellaneous petitions are closed.

10.04.2023

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Index : Yes/No

Speaking order : Yes/No

Neutral citation case : Yes/ No



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M.DHANDAPANI, J.

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