



W.P(MD)No.218 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.218 of 2023

and

W.M.P.(MD)No.182 of 2023

The Correspondent,
Sacred Heart Higher Secondary School,
Thiruvarangam,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Ramanathapuram District.
- 2.The District Educational Officer (Secondary),
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in Na.Ka.No.6117/A5/2022 dated 14.12.2022 and quash the same and direct the respondents to register the proposal sent by the petitioner dated 07.11.2022 to register the change of correspondentship.



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For Petitioner : Mr.V.Paneer Selvam

For Respondents : Mr.S.Shaji Bino,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.Sacred Heart Higher Secondary School, Thiruvarangam, Ramanathapuram District is a minority institution. It is coming under the corporate management of R.C. Diocese of Sivaganai. The Bishop is the corporate manager. The Bishop appoints the correspondent to the constituent school. The Bishop appointed Rev.Fr.D.Irudhayaraj as correspondent of the writ petitioner school. Proposal was sent to the second respondent. The second respondent's approval is rather formal in nature. It is because there is no dispute regarding the appointment. I can understand if any rival claim has been made. However, the second respondent citing certain other extraneous issues declined to grant approval. The second respondent is not in a position to justify the refusal with reference to any particular statutory provision.



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3. In this view of the matter, the order impugned in the writ petition is set aside. The second respondent is directed to approve the appointment of Rev.Fr. D.Irudhayaraj as the correspondent of the petitioner school. This shall be done immediately and without any delay. The writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

02.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

1. The Chief Educational Officer,
Ramanathapuram District.
2. The District Educational Officer (Secondary),
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

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