



W.P.(MD)No.10567 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.10567 of 2020

R.Giri

: Petitioner

Vs.

1.The Chief Education Officer
Collectorate,
Theni.

2.The District Education Officer
Theni Education District,
Theni.

3.The Secretary
Sri Varadha Venkata Ramana Higher Secondary School,
Venkatachalapuram,
Then District - 625 534.

4.Vanitha

: Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus to direct the 1st and 2nd



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respondents to remove the 4th respondent from the post of Science Teacher from the 3rd respondent's school for furnishing fabricated documents based on the petitioner's representation, dated 20.07.2020.

For Petitioner : Mr.K.Manikandan

For Respondents : Mr.T.Amjad Khan - for R1 & R2
Government Advocate

Mr.S.Sivakumar - for R4

No Appearance - for R3

ORDER

This writ petition has been filed to direct the 1st and 2nd respondents to remove the 4th respondent from the post of Science Teacher from the 3rd respondent's school for furnishing fabricated documents based on the petitioner's representation, dated 20.07.2020.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the eligible person to be appointed to the post of Science



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Teacher, whereas, the third respondent appointed the fourth respondent as Science Teacher. Hence, the present writ petition is filed for a Mandamus directing the third respondent to remove the fourth respondent from the post of Science Teacher.

3. The learned counsel for the petitioner submitted that without any qualification, the third respondent management appointed the fourth respondent as Science Teacher, objecting the same the petitioner sent a representation on 20.07.2020 and the same was not considered. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

4. The learned counsel for the petitioner further submitted that it would suffice, this Court may issue a direction to the first respondent to consider the petitioner's representation, dated 20.07.2020 and pass appropriate orders within the time limit.

5. A perusal of the counter affidavit revealed that pursuant to third respondent appointed the fourth respondent as Science Teacher and the



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same was approved by the first respondent and in view of the above, this Court is inclined to issue a direction to the first respondent to consider the petitioner's representation and pass appropriate orders.

6. Considering the limited request made by the learned counsel for the petitioner, this Court directs the first respondent to consider the petitioner's representation, dated 20.07.2020 and pass appropriate orders on merits and in accordance with law, after providing opportunity to the petitioner as well as the fourth respondent, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

11.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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To

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M.DHANDAPANI, J.

RM

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