



W.P.(MD)No.11362 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.11.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.11362 of 2021 and
W.M.P.(MD)Nos.8896 and 8899 of 2021

Kovilpatti Nadar Uravinmurai Sangam,
represented by its President, A.P.K.Palaniselvam Nadar,
Tuticorin District-628 501. ... Petitioner

vs.

1.The Principal Secretary to the Government,
School Education Department, Secretariat, Chennai- 600 009.

2.The Chief Educational Officer,
Tuticorin District, Tuticorin.

3.The District Educational Officer,
Tuticorin District, Tuticorin.

4.The District Registrar,
O/o. the District Registrar Office (Society),
Palayamkottai, Tirunelveli District.

5.K.A.Velumani ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the Impugned Enquiry Notice passed by the 3rd respondent in his Proceeding in Na.Ka.No.2146/A2/2021, dated 02.07.2021 and quash the same as illegal.



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For Petitioner :Mr.C.Mayilvahana Rajendran
For R1 to R4 :Mr.P.Thambidurai
Government Advocate
For R5 :Mr.M.Prabu

ORDER

This Writ Petition has been filed challenging the impugned enquiry notice issued by the third respondent in Na.Ka.No.2146/A2/2021, dated 02.07.2021.

2.Heard Mr.C.Mayilvahana Rajendran, learned Counsel appearing on behalf of the petitioner, Mr.P.Thambidurai, learned Government Advocate appearing on behalf of the respondents 1 to 4 and Mr.M.Prabu, learned Counsel appearing on behalf of the fifth respondent.

3.The impugned enquiry notice was issued by the third respondent based on the representation made by the fifth respondent. On carefully going through the representation dated 16.02.2021 made by the fifth respondent, it is seen that the issues that have been raised, pertains to the functioning of the registered Society. This issue cannot be dealt with by the District Educational Officer and it is a matter to be considered by the



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District Registrar. That apart, since a stay was granted by this Court, no further enquiry is conducted. It is also brought to the notice of this Court that subsequent election also took place for the School on 25.12.2022 and the same has become a subject matter of challenge and the final result is yet to be declared.

4. In the light of the above discussion, this Court holds that the impugned notice issued by the third respondent is without jurisdiction and that apart, the cause of action for issuing of such notice does not survive due to the subsequent developments, that has taken place during the pendency of this Writ Petition. Hence, the impugned notice of the third respondent made in Na.Ka.No.2146/A2/2021, dated 02.07.2021, is hereby quashed and this Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
cmr

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N.ANAND VENKATESH, J.

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