



W.P(MD)No.15407 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15407 of 2023

and

W.M.P(MD)Nos.13010 & 13011 of 2023

C.Subramaniam

... Petitioner

Vs

- 1.The Director of Collegiate Education,
College Road,
Chennai – 600 006.
- 2.The Regional Joint Director of Collegiate Education,
Thirunelveli,
Thirunelveli.
- 3.The District Registrar,
Kanyakumari,
Kanyakumari District.
- 4.The Secretary,
Lakshmipuram College of Arts and Science,
Eraniel,
Neyyoor Post,
Kanyakumari District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the proceedings of the fourth respondent, namely, publication of the fourth respondent dated 17.06.2023 published in the Dhina Mani on 18.06.2023 and quash the same.

For Petitioner : Mr.C.Godwin

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 to R.3

Mr.S.Poornachandiran for R.4

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the recruitment notification issued by the fourth respondent. The learned counsel appearing for the petitioner submitted that the status of the fourth respondent is yet to be recognized. Form 7 filed by the fourth respondent has not been taken on file till date. He therefore called upon this Court to set aside the impugned notification.

3. When the matter was taken up for admission, the counsel representing the fourth respondent intervened to point out that this Court has already



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allowed the writ petition filed by the fourth respondent for accepting the Form 7 on file. Aggrieved by the same, a review petition was filed and it was also dismissed. The order of this Court has not been stayed or set aside till date. This is the submission of the learned counsel appearing for the fourth respondent.

4. The learned Additional Government Pleader appearing for the official respondent raised more fundamental objections. He would point out that the recruitment notification can be questioned only by a candidate. The petitioner admittedly is not a candidate. Therefore, he lacks the *locus standi* to maintain the writ petition.

5. I am of the view that objections raised by the learned Additional Government Pleader as well as the learned counsel appearing for the fourth respondent are sound. When this Court had recognized the election held in respect of the Society and had also issued direction for acceptance of Form 7, the status of the fourth respondent cannot be questioned. The petitioner has to necessarily move the jurisdictional civil Court to ventilate his grievances. The petitioner can also apply for an interim order before the jurisdictional civil Court for restraining the fourth respondent from acting as Secretary. Filing the



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writ petition is misconceived in the facts and circumstances of the case.

Leaving open the rights and remedies of the petitioner, the writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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G.R.SWAMINATHAN, J.

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