



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 15.02.2023

Pronounced on : 19.09.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

**WP(MD)No.20964 of 2022
and
WMP(MD)No.15210 of 2022**

Anna Boys Higher Secondary School,
St.Antony's Girls Higher Secondary School,
Rep. By its Manager,
Diana Annie Rajammal.

.... Petitioner

Vs.

1.The Director of School Education,
DPI Compound, College Road,
Chennai.

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

3.The District Educational Office,
Tenkasi District, Tenkasi.

4.Baskarapandian

... Respondents

Prayer : Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 3rd respondent in Na.Ka.No.1969/Aa1/2022 dated 30.07.2022 and quash the same as illegal.



For Petitioner : Mr.S.Chellapandian

For Respondents : Mr.S.Shaji Bino,
Spl. Government Pleader for R1 to R3.
Mr.T.Lajapathi Roy, Senior Counsel,
For Mr.S.Rajasekar for R4.

ORDER

Heard both sides.

2.The District Educational Officer issued proceedings bearing Na.Ka.No.1989/Aa2/2021, dated 01.11.2021 Moo.Mu.No.2157/Aa3/2021, dated 15.11.2021 and Moo.Mu.No.469/Aa1/2022 dated 31.03.2022 registering the assumption of Mrs.Diana Annie Rajammml as the Correspondent / Manager of the petition mentioned three schools. Aggrieved by the first two orders and before the order dated 31.03.2022 was issued, A.Baskarapandian, the petitioner's paternal uncle submitted a letter dated 15.02.2022. Enquiry was conducted. In the meanwhile, order dated 31.03.2022 was issued. Thereafter, the impugned show cause notice dated 11.08.2022 was issued calling upon the petitioner to show cause as to why the earlier proceedings dated 31.03.2022 should not be reviewed. Challenging the same, the present writ petition came to be filed.



3. Though substantial arguments were advanced on both sides, I am however spared the need of considering the same. It is well settled that a statutory authority cannot review his or her own order unless such power has been specifically conferred. The District Educational Officer has not cited any specific provision which empowers him to review his own order. On this sole ground, the impugned show cause notice dated 30.07.2022 is quashed. All the contentions and remedies of the fourth respondent are left open.

4. With this liberty to the fourth respondent and without going into the merits of the matter, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

19.09.2023

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

1. The Director of School Education,
DPI Compound, College Road,
Chennai.

2. The Chief Educational Officer,



Tenkasi District, Tenkasi.

3. The District Educational Office,
Tenkasi District, Tenkasi.

G.R.SWAMINATHAN, J.

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**Pre-Delivery Order in
WP(MD)No.20964 of 2022**

**19.09.2023
(1/2)**