



W.P.(MD)No.9659 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.9659 of 2016

S.Manohar

... Petitioner

Vs.

1.The Chief Secretary,
State of Tamil Nadu,
Fort St.George,
Chennai-9.

2.The Secretary,
Education Department,
Fort St.George,
Chennai-9.

3.The Chief Educational Officer,
Trichy District,
Trichy.

4.The Head Master,
Government Higher Secondary School,
Peria Alampatti,
Sri Rengam Taluk,
Trichy 621 303.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to take necessary legal action against the 4th respondent for discontinuing my daughter namely Anbarasi who is studying 10th standard in the 4th respondent school on 10.12.2015 and directing the respondents to pay compensation of Rs.3,00,000/- either jointly or severally to me for spoiling my daughter's education at the middle of 10th standard and causing unnecessary expenses to the petitioner for appear 10th examination through private organization.

For Petitioner :Mr.S.Jeyasingh

For Respondents :Mr.V.Om.Prakash
Additional Government Pleader

ORDER

The grievance of the writ petitioner is that his daughter, Anbarasi, who was studying in the 10th standard in the fourth respondent school was forced to leave the school. Consequently, the petitioner asserts that he was constrained to incur heavy expenditure. Therefore, a compensation claim of Rs.3,00,000/- is also laid.



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2. Learned counsel for the petitioner submits that the fourth respondent issued a Transfer Certificate to the petitioner's daughter on 10.12.2015 and, therefore, she could not continue her education at a critical stage of her school career.

3. In response, learned Additional Government Pleader states that the petitioner's wife and mother of Anbarasi issued a letter dated 30.09.2015 to the Head Master of the school and requested for the transfer certificate. In the said letter, the petitioner's wife stated that they are moving to a different place for work, and therefore, require the transfer certificate.

4. Learned Additional Government Pleader submits that the transfer certificate was given pursuant to the above mentioned request. Consequently, he contends that the respondents cannot be held reasonable or liable for the petitioner's daughter leaving the school.



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5. Upon examining the letter dated 30.09.2015 from the petitioner's wife to the Head Master of the fourth respondent school, the submissions of learned Additional Government Pleader are liable to be accepted. It also appears from the affidavit of the petitioner at paragraph 8 that his daughter has completed her 10th standard by approaching a private institution in such regard.

6. In the above facts and circumstances, the petitioner is not entitled to the relief claimed. Therefore, W.P.(MD).No.9659 of 2016 is dismissed without any order as to costs.

10.03.2023

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
sbm



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SENTHILKUMAR RAMAMOORTHY, J.

sbn

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