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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.28713 of 2022

and

W.M.P.(MD)Nos.22704 and 22711 of 2022

Rama.Selvaraj

... Petitioner

vs.

1.The Commissioner,
School Education Department,
DPI Campus, Chennai-6.

2.The Chief Educational Officer,
Thoothukudi.

3.The District Educational Officer,
Kovilpatti, Thoothukudi District,

4.Mariappan

5.The Secretary,
Senaithalaivar Community Society,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the third respondent in his



proceedings in Moo.Mu.No.2867/A2/2022, dated 30.06.2022 and to quash the same and consequent direction may be issued to the third respondent to make direct payment to the Senaiyar Kalaimagal High School, Eratchi, 628 720, Ettayapuram Taluk, Thoothukudi District within stipulated time.

For Petitioner	:Mr.T.A.Ebenezer
For R1 to R3	:Mr.M.Ramesh Government Advocate
For R4 and R5	:Mr.S.Sivalingaraja

ORDER

Heard Mr.T.A.Ebenezer, learned Counsel for the petitioner, Mr.M.Ramesh, learned Government Advocate for the respondents 1 to 3 and Mr.S.Sivalingaraja, learned Counsel for the respondents 4 and 5.

2.Let me not even extract the relief for which, the Writ Petition sought. I really appreciate the extreme sanguine manner and the prudence exhibited by the learned Counsel for the petitioner on the one hand, the learned Government Advocate appearing for the respondents 1-3 and the learned Counsel for the respondents 4 and 5 on the other hand.



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3. Even though the Writ Petition has been filed in the nature of a Certiorari Mandamus, let me not enter into a detailed discussion about the various allegations raised by the petitioner against the fourth and fifth respondents or the allegations raised by the fourth and fifth respondents in their counter affidavit. Let all the differences be put at rest.

4. The petitioner is the Headmaster of Senaiyar Kalaimagal High School, Erachi, Ettayapuram at Tuticorin District. He has done yeoman service as Teacher and had slowly progressed to be appointed as Headmaster of the said School. He has been in the teaching profession for the past 36 years. Naturally, under his guidance, many students would have, as on date, become proficient in various skills and would be thinking of him in laudatory terms.

5. The Writ Petition has been filed consequent to some apprehension in the mind of the petitioner. He has questioned the authority of fourth and fifth respondents, but it is made clear that the fourth respondent can continue as Secretary of the School and the fifth



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respondent/Educational Agency can continue with the Committee members, who had been elected

6. Let me make it very clear that this Court is not entering into any discussion about their competency or their eligibility or their suitability. It is made clear that they are competent, that they are eligible, that they are suitable. It has also come to the light that the petitioner herein will be attaining the age of superannuation on 31.05.2023.

7. In view of the fact that this Court had openly expressed the competency, eligibility and the suitability of the fourth and fifth respondents, it would also only be appropriate that they reciprocate by ensuring that any charge memo issued to the petitioner herein is withdrawn and thereafter, if the petitioner is to retire on 31.05.2023, ensure that all the pension papers and retirement benefits are in order and disburse to the petitioner without any hindrance and he would be given a golden handshake at the time when he retires. The fourth respondent may forward the pension proposal papers to the third respondent/District Educational Officer, Kovilpatti, Tuticorin District.



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8. Let the petitioner and the fourth and fifth respondents invite participation of all the Teachers and students for the farewell function of the petitioner herein on 31.05.2023. The petitioner may also refrain from handling any key of the school and permit the appropriate person to handle any keys of the school.

9. The Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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

19.04.2023

cmr

To

1. The Commissioner,
School Education Department,
DPI Campus, Chennai-6.

2. The Chief Educational Officer,
Thoothukudi.

3. The District Educational Officer,
Kovilpatti, Thoothukudi District,

5/6



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.28713 of 2022

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