



W.P.No.8914 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8914 of 2024
and W.M.P.No.9929 of 2024

L.Dominic Xavier

.. Petitioner

Vs.

1.Primrose School
rep.by the
Administrative Principal / Principal
No.63, Gundusalai, Oulgaret
Puducherry - 605 010.

2.The Director
Directorate of School Education
Perunthalaivar Kamarajar Centenary
Educational Complex
100 Feet Road, Anna Nagar
Puducherry-605 005.

3.The Secretary
Council for the Indian
School Certificate Examinations
Pragati House, First Floor
47-48, Nehru Place
New Delhi - 110 019.

4.M.Gayathri

.. Respondents



W.P.No.8914 of 2024

WEB COPY

Prayer: Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus to direct the first respondent to consider and promote the petitioner to the post of Principal against the ensuing vacancy.

For the Petitioner : Mr.V.Ajaya Kumar

ORDER

The Writ Petition is filed for a Mandamus, to direct the 1st respondent to consider and permit the petitioner to the post of Principal against the ensuing vacancy.

2. *Mr.Ajaya Kumar*, learned counsel for the petitioner would submit that even though it is an unaided post, by virtue of Section 17 of the Puducherry School Education Act, 1987, official respondents are entitled to frame rules and conditions of services, which would include promotion also. In exercise thereof, a rule has also been framed where under, Rule 46 of the Pondicherry School Education Rules, 1996, the Educational Institutions are required to prepare a seniority roster in respect of each grade. Once there is a rule regarding seniority, naturally, the petitioner being the senior most is



W.P.No.8914 of 2024

liable to be promoted.

3. I have considered the said submissions made and perused the material records of the case.

4. The post of Principal is to be filled up as per the rules and procedures of the private Management. Even before granting any promotion, the petitioner apprehends that despite being senior, his name will not be considered. There is no material to show that the apprehension is imminent or reasonable. If any promotion is made in violation of the rules, then only there shall be cause of action for the petitioner. At this stage finding that the Writ Petition is premature, this Court is not inclined to entertain the prayer of the petitioner.

5. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

22.04.2024

Index : Yes
Neutral Citation: No
Speaking order: Yes

Jer

Page 3 of 4



WEB COPY



W.P.No.8914 of 2024

D.BHARATHA CHAKRAVARTHY, J.

Jer

To
1.The Director
Directorate of School Education
Perunthalaivar Kamarajar Centenary
Educational Complex
100 Feet Road, Anna Nagar
Puducherry-605 005.

2.The Secretary
Council for the Indian
School Certificate Examinations
Pragati House, First Floor
47-48, Nehru Place
New Delhi - 110 019.

W.P.No.8914 of 2024

22.04.2024