



W.P.No.17939 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17939 of 2024
and
W.M.P. No. 19673 of 2024

L.Dominic Xavier

... Petitioner

Vs

1. Primrose School,
Rep. by the Academic Director,
No. 63, Gundusalai, Olugaret,
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



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, to direct the first respondent to declare that the appointment of the fourth respondent as Principal of the first respondent's School as intimated though the communication dated 05.06.2024 is illegal and is invalid and consequently to direct the first and second respondents to appoint the petitioner as Principal with effect from the date on which the fourth respondent is appointed with all other consequential benefits.

For Petitioner : Mr. V.Ajayakumar

For Respondents : Mr. V.Vasanthakumar,
Additional Government Pleader
(for R1 & R2)

ORDER

This Writ Petition is filed to direct the first respondent to declare that the appointment of the fourth respondent as Principal of the first respondent's School as intimated though the communication dated 05.06.2024 is illegal and is invalid and consequently to direct the first and second respondents to appoint the petitioner as Principal with effect from the date on which the fourth respondent is appointed with all other consequential benefits.



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2. On a perusal of the said communication dated 05.06.2024, it reveals that due to the retirement one Mrs. Jareena Begum. R, the appointment of new leadership is being announced, with the fourth respondent being appointed as Principal of the first respondent/School. The petitioner claims that he is the senior-most person in the School and thus, the right person to be appointed as Principal. However, this is only an email communication, and no formal order has been passed appointing the fourth respondent as Principal in the first respondent/School. Therefore, if any order is passed appointing the fourth respondent as Principal, the petitioner can challenge it. Hence, a mere e-mail communication cannot be challenged without proper authentication. Accordingly, this Writ Petition is devoid of merits and it is liable to be dismissed.

3. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

08.07.2024

Index: Yes/No
Neutral Citation/Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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