



W.A(MD)No.1049 of 2013

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.A(MD)No.1049 of 2013
and
M.P(MD) Nos.1 and 2 of 2013**

The Correspondent
S.D.H. Jain Vidhyalaya Matriculation School,
Thiruppalai,
Madurai- 14

... Appellant/2nd Respondent

.Vs.

1. P.Latha

..1st Respondent/Writ Petitioner

2. The Inspector of Matriculation School
Thallakulam, Madurai

..2nd Respondents/ 1st Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order passed by this Court in W.P(MD) No.7738 of 2005 dated 20.04.2011.



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For Appellant : Mr.V.Janakiramulu
For R1 : Mr.Ramsunarvijayraj
for M/s.Veera Associates

JUDGMENT

(Judgment of the Court was delivered by **P.VELMURUGAN.,J**)

The present Writ Appeal has been filed to set aside the order passed by this Court in W.P(MD) No.7738 of 2005 dated 20.04.2011

2. The first respondent has challenged the termination order passed by the appellant in the writ appeal. The Writ petition was allowed on the ground that the order of termination was passed in violation of principles of natural justice. The first respondent has alternative remedy and without the availing alternate remedy, he has approached the Writ Court which is against law.

3. On persual of the order of the learned Single Judge, it is seen that the order has been passed on the ground that the termination order has been passed



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in violation of principles of natural justice which is against settled preposition of law. Even though alternative remedy is available, without availing the same he has filed the Writ Petition by invoking Article 226 of the Constitution of India. Hence, this Court finds that there is no perversity or infirmity in the order passed by the learned Single Judge.

4. Now, the learned counsel appearing for the respondent submitted that the respondent has submitted his resignation letter before the appellant and the same was also accepted. Therefore nothing survives for further adjudication in the writ appeal . However learned counsel appearing for the respondent only seeks experience certificate from the appellant for the period in which he served in the appellant/school.

5. In view of the same, the appellant is directed to issue suitable experience certificate to the first respondent for the period he served in the school.



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6. With the above direction, the Writ Appeal stands disposed of. No costs.

Consequently connected miscellaneous petitions are closed.

[P.V.,J.] [K.K.R.K.,J.]
19.08.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
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and
K.K.RAMAKRISHNAN, J.

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