



WEB COPY

W.P.(MD) No.14849 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.14849 of 2012

and

M.P.(MD) Nos.1 & 2 of 2012

Dr.K.Rajesh

... Petitioner

-vs-

- 1.The State of Tamil Nadu
rep.by its Secretary
Department of School Education
Fort St.George, Chennai-600 009
- 2.The Director of School Education
College Road, Chennai-600 006
- 3.The Joint Director of School Education
(Higher Secondary Education)
College Road, Chennai-600 006
- 4.The Chief Educational Officer
Nagercoil
Kanyakumari District
- 5.The District Educational Officer
Kuzhithurai
Kanyakumari District



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6.S.Suresh Kumar

7.Dr.S.Sunilkumar

8.K.Narayanan Nair

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned proceedings issued by the third respondent / Joint Director of School Education in Na.Ka.No.9818/W4/E3/2010, dated 27.10.2011, quash the same and further direct the respondents 3 to 5 herein to register the petitioner forthwith as the Manager-cum-Correspondent of TCK Higher Secondary School, Padanthaloomudu, Kanyakumari District.

For Petitioner : Mr.Sivasamy
for M/s.Isaac Chambers

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R5
Mr.V.M.Balamohan Thampi for R6 to R8



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ORDER

The petitioner has challenged the impugned order passed by the third respondent rejecting the petitioner's request for recognizing him as Manager-cum-Correspondent of T.C.K.Higher Secondary School, Padanthaloomudu, Kanyakumari District.

2. Under the impugned order, the third respondent has rejected the petitioner's request only due to the fact that there is a dispute between the Committee Members of T.C.K.Higher Secondary School, Padanthaloomudu, Kanyakumari District, which is the subject matter of the Civil Court proceedings, namely, O.S.No.41 of 1998 and A.S.No.27 of 2011. Admittedly, the aforementioned School is presently under the direct management of the official respondents. In view of the fact that there is a dispute amongst the Committee Members of the said School and the said dispute is yet to be resolved, the question of entertaining this writ petition at this stage does not arise. Only after resolution of the disputes between the Committee Members of the said School, or by a resolution of the disputes through a decision rendered by the Civil Court, the question of entertaining the relief as prayed for in this writ petition will arise.



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3. In view of the same, this writ petition is disposed of by granting liberty to the Committee Members of T.C.K.Higher Secondary School, Padanthaloomudu, Kanyakumari District, including the petitioner, to file appropriate legal proceedings, if they so desire, against the official respondents, once the Committee Members of the said School either resolved their disputes amongst themselves or a resolution is obtained through a decision rendered by a Civil Court, which has attained finality. No costs. Consequently, connected miscellaneous petitions are closed.

22.08.2024

(2/2)

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

krk

To:

1.The Secretary,
Department of School Education,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.

2.The Director of School Education,
College Road, Chennai-600 006.



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- 3.The Joint Director of School Education,
(Higher Secondary Education),
College Road, Chennai-600 006.
- 4.The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
- 5.The District Educational Officer,
Kuzhithurai,
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ABDUL QUDDHOSE, J.

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