



W.P.(MD) Nos.1997 and 1999 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) Nos.1997 and 1999 of 2021

and

W.M.P.(MD) Nos.1700 and 1702 of 2021

K.Nivetha

... Petitioner

in W.P.(MD) No.1997/2021

E.Dhilipan Sakravarthi

... Petitioner

in W.P.(MD) No.1999/2021

Vs.

- 1.The Director of School Education,
O/o. The Director of School Education,
DPI Compound, College Road, Chennai.
- 2.The Director of Adi Dravidar Welfare,
O/o. Director of Adi Diravidar and Welfare Office,
Chepauk, Chennai-06.
- 3.The Chief Educational Officer,
Office of the Chief Educational Office,
Thoothukudi, Thoothukudi District.
- 4.The District Educational Officer,
O/o. The District Educational Office,
Thoothukudi, Thoothukudi District.



W.P.(MD) Nos.1997 and 1999 of 2021

WEB COPY

- 5.The District Adi Diravidar Welfare Officer,
O/o. Adi Diravidar Welfare Office,
Thoothukudi.
- 6.The Chairman,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District.
- 7.Mrs. R.Nirmala,
Chairman,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District.
- 8.The Correspondent,
Muthukaruppan Harijan Primary and
Hr. Sec School Educational Committee,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District.
- 9.Mrs.K.Saroja,
The Correspondent,
Muthukaruppan Harijan Primary and
Hr. Sec School Educational Committee,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District.
- 10.The Secretary,
Muthukaruppan Harijan Primary and
Hr. Sec School Educational Committee,
Subbammalpuram, Sillankulam(Post),
Ottapidaram (Taluk), Thoothukudi District.



W.P.(MD) Nos.1997 and 1999 of 2021

11. Mr. Balamurugan,
Muthukaruppan Harijan Primary and
Hr. Sec School Educational Committee,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District.

12. The Secretary,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram, Sillankulam (Post)
Ottapidaram (Taluk), Thoothukudi District.

13. Mr. Balamurugan,
Secretary,
Muthukaruppan Memorial Educational Trust,
Subbammalpuram, Sillankulam (Post),
Ottapidaram (Taluk), Thoothukudi District. ... Respondents
in both W.Ps.

Prayer in both W.Ps.: Petitions filed under Article 226 of the Constitution of India to issue Writ of Certiorari, calling for the records relating to the impugned order issued by the 12th respondent in his proceedings in மு.க.அ./ந.க.எண்.05/2021 dated 18.01.2021 and quash the same as illegal.

In both W.Ps.

For Petitioner	:	Mr.H.Mohammed Imran For M/s.Ajmal Associates
For RR1 to 5	:	Mr.V.Om Prakash Government Advocate



W.P.(MD) Nos.1997 and 1999 of 2021

For RR12 & 13 : Mr.C.Mayilvahana Rajendran

For RR6 to 11 : No appearance

COMMON ORDER

Both the writ petitions are filed challenging the show cause notices issued to the respective petitioners dated 18.01.2021.

2. The petitioners approached this Court by filing the present writ petitions challenging the said show cause notices primarily on the ground that there was no School Committee existing as on the date of issuance of the impugned show cause notices, as the School Committee that was formed was suspended by this Court by an order dated 10.12.2020 in W.M.P.(MD) No. 15101 of 2020 in W.P.(MD) No.18093 of 2020.

3. Now it is brought to the notice of this Court that regular School Committee has been constituted and it is functioning as on date.



W.P.(MD) Nos.1997 and 1999 of 2021

WEB COPY

4. There is no dispute that there was no properly constituted School Committee as on the date of issuance of the show cause notices. Therefore, the impugned show cause notices are liable to be treated as incompetent.

5. In the circumstances, both the impugned show cause notices are set aside and the writ petitions are allowed granting liberty to the respondent-School to take appropriate action in accordance with law, if they still so desired. No costs. Consequently, connected miscellaneous petitions are closed.

22.03.2024

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

ABR

To

1. The Director of School Education,
O/o. The Director of School Education,
DPI Compound, College Road, Chennai.



WEB COPY



W.P.(MD) Nos.1997 and 1999 of 2021

MUMMINENI SUDHEER KUMAR, J.

ABR

2.The Director of Adi Dravidar Welfare,
O/o. Director of Adi Diravidar and Welfare Office,
Chepauk, Chennai-06.

3.The Chief Educational Officer,
Office of the Chief Educational Office,
Thoothukudi, Thoothukudi District.

4.The District Educational Officer,
O/o. The District Educational Office,
Thoothukudi, Thoothukudi District.

W.P.(MD) Nos.1997 and 1999 of 2021

5.The District Adi Diravidar Welfare Officer,
O/o. Adi Diravidar Welfare Office,
Thoothukudi.

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