



W.P(MD).No.3282 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3282 of 2023

and

W.M.P(MD)No.3035 of 2023

B.Punitha

....Petitioner

Vs

- 1.The Chief Educational Officer,
O/o the Chief Educational Officer,
Thanjavur District,
Thanjavur.
- 2.The District Educational Officer,
O/o the District Educational Officer,
Thanjavur District,
Thanjavur.
- 3.The Secretary,
Khadir Mohideen Girls Higher Secondary School,
Athirampattinam,
Thanjavur District.
- 4.The Administrator,
Khadir Mohideen Girls Higher Secondary School,
Under control of M.K.N.Madharasa Trust-Waqf,
Athirampattinam,
Thanjavur District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 3rd respondent in his proceedings in Na.Ka.No. 130/2022, dated 27.12.2022 as illegal and quash the same and consequently



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direct the 3rd respondent to reinstate petitioner in service with all attendance and monetary benefits within time frame fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah
For R1 & R2 :Mr.N.Ramesh Arumugam
Government Advocate
For R3 & R4 :S.A.Ajmal Khan

ORDER

The present writ petition has been filed challenging the order passed by the 3rd respondent, dated 27.12.2022 and to direct the 3rd respondent to reinstate the petitioner in service with all attendance and monetary benefits.

2. The 1st and 2nd respondents have filed a counter and the learned Government Advocate submitted that without availing the appellate remedy, which is available for the petitioner to prefer an appeal before the 4th respondent in terms of Section 23 of Tamil Nadu Recognised Private Schools (Regulation) Act, 1973, this writ petition has been filed.

3. In response to the same, the learned counsel for the petitioner fairly submitted that the petitioner is ready to prefer an appeal before the appropriate appellate authority i.e., 4th respondent herein.



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4. In view of the above, the petitioner is directed to prefer an appeal before the 4th respondent within a period of two (2) weeks from the date of receipt of copy of this order. On receipt of the same, the 4th respondent is directed to pass appropriate orders within a period of four (4) weeks thereafter.

5. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

09.02.2024.

Internet : Yes

Index : Yes/No

NCC : Yes/No

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To

1. The Chief Educational Officer,
O/o the Chief Educational Officer,
Thanjavur District,
Thanjavur.
2. The District Educational Officer,
O/o the District Educational Officer,
Thanjavur District,
Thanjavur.
3. The Administrator,
Khadir Mohideen Girls Higher Secondary School,



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Under control of M.K.N.Madharasa Trust-Waqf,
Athirampattinam, Thanjavur District.

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L.VICTORIA GOWRI, J.

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