



W.P.(MD)No.4154 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.4154 of 2022 &
W.M.P.(MD)No.3566 of 2022

I.Iyyadurai

... Petitioner

vs.

- 1.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.
- 2.The District Educational Officer,
Vallioor,
Tirunelveli District.
- 3.The District Educational Officer,
Cheranmadevi,
Tirunelveli District.
- 4.The Secretary,
CMS Evangelical Society,
Regn. No.2/1925-26,
Idayankulam,
Nanguneri Taluk,
Tirunelveli District.
- 5.Penjamin Soundrapandian



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WEB COURT

- 6.Bells
- 7.Selvarani
- 8.Jeba
- 9.Jeslin
- 10.Sheela Selva Mary
- 11.Ebenezer
- 12.Augustin
- 13.Prema
- 14.Beulah
- 15.Jenita
- 16.Angel Selvakumari
- 17.Sheeba
- 18.Mariappan
- 19.Rajmary
- 20.Alex Sunith
- 21.Star Gnanaselvi\
- 22.Elizabeth Rani
- 23.Jebadurai
- 24.Thomas
- 25.Kani
- 26.Johnson Selvakumar
- 27.Persis

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents 1 to 3 from approving appointments made to the respondents 5 to 18 and the promotions made to the respondents 19 to 27 based on the petitioner's representation dated 27.11.2021.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 to R3



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Mr.Ragatheeskumar
for Isaac Chambers
for R5 to R8, R13, R17, R19 to R23

Mr.V.Pannerselvam
for R24

No appearance for R4, R9, R10 to R12,
R14 to R16, R18, R25, R26 and R27

ORDER

Heard Mr.T.A.Ebenezer, learned counsel appearing for the petitioner, Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 3, Mr.Ragatheeshkumar, learned counsel appearing for R5 to R8, R13, R17, R19 to R23 and Mr.V.Pannerselvam, learned counsel appearing for R24.

2. The petitioner has filed this petition seeking to forbear the respondents 1 to 3 from approving the appointments made to the respondents 5 to 18 and the promotions made to the respondents 19 to 27 based on his representation dated 27.11.2021.



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3. The petitioner is also one of the members of congregation of the fourth respondent Society, which is running 27 aided primary middle Schools. It seems that there are some disputes between the members of the fourth respondent Society. The petitioner at his best can workout his remedy before the appropriate forum to declare his status or his entitlement in the fourth respondent Society.

4. Mr.T.A.Ebenezer, learned counsel appearing for the petitioner submitted that all the appointment and promotions, which the petitioner challenges have been made after getting some illegal gratification and hence approval for those appointments and promotions should not be granted. Such vague allegations cannot be made without even filing any criminal case against either of the members of the Society.

5. Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that private respondents have already filed various writ petitions seeking direction against the Government respondents and they have also got appropriate directions



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against the authorities concerned.

6. In such circumstances, the authorities cannot stand still without complying the directions of the Court. However, if the Government respondents come to know with concrete evidence that the fourth respondent Society has involved in any illegal activities, suitable action can be taken in accordance with the regulations governing the Private School Regulation Act. It is made clear that this shall not have any influence in granting approval to the appointment or promotion, if they are otherwise found to be in order.

7. With the above observations, the writ petition is **disposed of**.
No costs. Consequently, connected Miscellaneous Petition is closed.

13.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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