



WP(MD) No.8022 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.03.2024

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.8022 of 2021
and W.M.P.(MD)Nos.6122, 6123, 8794 & 14126 of 2021

P.P.M.Higher Secondary School,
Anducode , Anducode P.O.,
Kanyakumari District ,
Rep by its Manager / Correspondent,
Dr.V.R.Sajikumar.

... Petitioner

Vs.

1.The Joint Director of School Education,
(Higher Secondary), College Road,
Chennai - 6.

2.The Chief Educational Officer,
Kanyakumari District,
Office at Nagercoil,
Kanyakumari District.

3.The District Educational Officer,
Thiruvattar, Office at Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for
the issuance of a Writ of Certiorari, calling for the records of the first



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respondent dated 05.04.2021 vide Na.Ka.No.81851/W4/E2/2018 and quash the same.

For Petitioner : Mr.S.Subbiah, Senior Counsel for
Ms.J.Anandhavalli

For Respondents : Mr.V.Om.Prakash,
Government Advocate

ORDER

The impugned order bearing Na.Ka.No.81851/W4/E2/2018, dated 05.04.2021 was passed by the respondent No.1, modifying the order passed in Proceedings No.Na.Ka.No.84855/W4/E3/2015, dated November 2016, detrimental to the interest of the petitioner, without affording any opportunity to the petitioner. By virtue of the impugned order, the minority status that is being enjoyed by the petitioner herein all through was lost. Thus, the impugned order prejudicially affecting the petitioner herein. Admittedly, the impugned proceedings was issued without affording any opportunity to the petitioner and in violation of the principles of natural justice. In view of the same, the operation of the impugned order has been stayed by this Court in this Writ Petition.



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2. In view of the same, this Court is of the considered view that the impugned order is not sustainable and the same is liable to be set aside.

Accordingly, the impugned order dated 05.04.2021 is set aside on the ground of violation of principles of natural justice and accordingly, the matter is remanded back to the respondent No.1 for considering the matter afresh by duly affording an opportunity to the petitioner and for passing appropriate orders in accordance with law.

3. Accordingly, this Writ Petition is allowed as indicated above.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.03.2024

NCC : Yes/No
Index : Yes/No

vsm



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MUMMINENI SUDHEER KUMAR, J.

vsm

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