



W.P(MD)No.8678 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8678 of 2024

Muthupandi

... Petitioner

Vs.

- 1.The District Collector,
Collector Office Campus,
Virudhunagar District.
- 2.The District Educational Officer,
Collector Office Campus,,
Virudhunagar Taluk,
Virudhunagar District.
- 3.The District Educational Officer,
No.176, Madurai Road,
Ramakrishnapuram,
Managapuram,
Srivilliputhur Taluk,
Virudhunagar District.
- 4.The Chief Educational Officer,
Collector Office Campus,
Virudhunagar District.
- 5.K.Poongothai
- 6.S.Selvarani
- 7.G.Vijayakumari
- 8.A.Sthaneesslass



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9.Rajendran

10.C.Kaniraja

11.S.Selvakumar

12.The Headmaster
Nethaji Middle School,
Nehru Street,
Jaihindpuram,
Madurai-11.

13.K.Muthaiah

14.Rajkumar @ Muthaiah

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the 5th to 11th respondents for their illegal activities in issuing the false Transfer Certificate in the name of the petitioner to his father in departmental action.

For Petitioner : Mr.N.Sethilkumar

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R1 to R4

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.



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2. The petitioner wants action to be taken against the private respondents herein who are the teachers of one Vinayaka Vidhyasala Primary School, Chathirareddiyapatti Village, Virudhunagar District. The petitioner was born to one Magheswari and Rajkumar. Their marriage was dissolved in the manner known to law in the year 2007 itself. The petitioner was born on 17.02.2001. He attained majority in the year 2019. The petitioner's father had filed G.W.O.P.No.15 of 2013 before the Family Court, Madurai. The petitioner's counsel states that G.W.O.P was dismissed as withdrawn. The petitioner's grievance is that the father filed one transfer certificate as Ex.2. The petitioner would claim that he studied only in Thevar Primary School, Sethur upto fourth standard. He claims that the certificate issued by the Vinayaka Vidhyasala Primary School as if the petitioner studied in the school from classes 2 to 5 is false. The petitioner therefore wants the department to take action against the school teachers. Criminal cases were already lodged. It was closed as “Mistake of Fact”. Thereafter, the private complaint was filed and it is pending. When the jurisdictional criminal Court is seized of the matter, the question of the department taking action afresh does not arise at all. I fail to understand the purpose which the petitioner wants to achieve. Admittedly, the petitioner has now attained majority. The petitioner did his final year schooling in Sethupathi



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School, Simmakal, Madurai and obtained diploma in computer engineering and thereafter, studied BE also. He is now working in a private company. The only aim of the petitioner is to harass the respondent teachers. This is not a case in which the writ jurisdiction could have been invoked at all.

3. The Writ Petition is dismissed. No costs.

05.04.2024

Index : Yes / No
Internet : Yes/ No
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