



W.P.(MD).No.23052 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.23052 of 2023

and

W.M.P.(MD)No.19245 of 2023

Gnanaraj Jebasingh

...Petitioner

Vs

- 1.The Director of Elementary Education,
DPI Campus,
Chennai – 6.
- 2.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.
- 3.The District Educational Officer,
Vallioor,
Tirunelveli District.
- 4.The District Educational Officer,
Cheranmadevi,
Tirunelveli District.
- 5.The Secretary,
CMS Evangelical Society,
Regn No.2/1925-26,
Idayankulam,
Nanguneri Taluk,
Tirunelveli District.



W.P.(MD).No.23052 of 2023

6.Penjamin Soundrapandian

7.Bells

8.Selvarani

9.Jeba

10.Jeslin

11.Sheela Selva Mary

12.Ebenezer

13.Augustin

14.Prema

15.Beulah

16.Jenita

17.Angel Selvakumari

18.Sheeba

19.Mariappan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, forbearing the respondents 2 to 5 from approving the appointments made to the respondents 6 to 19 based on the petitioner's representation dated 02.02.2022.



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W.P.(MD).No.23052 of 2023

For Petitioner : Mr.T.Augustine Ebenezer

For R-1 to R-4 : Mr.T.Amjadkhan
Government Advocate

ORDER

Heard Mr.T.Augustine Ebenezer, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents 1 to 4.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, forbearing the respondents 2 to 5 from approving the appointments made to the respondents 6 to 19 based on the petitioner's representation dated 02.02.2022.

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 fifth respondent Society. The petitioner at his best can workout his remedy before the appropriate forum to declare his status or his entitlement in the fifth respondent Society.



W.P.(MD).No.23052 of 2023

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4. Mr.T.Augustine 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.T.Amjadkhan, learned Government Advocate appearing for the respondents 1 to 4 submitted that private respondents have already filed various writ petitions seeking direction against the Government authorities and they have also got appropriate directions 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 fifth respondent Society has involved in any illegal activities, suitable action can be taken in accordance with the regulations governing the Private



W.P.(MD).No.23052 of 2023

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.

11.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

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Tirunelveli.

3.The District Educational Officer,
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4.The District Educational Officer,
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W.P.(MD).No.23052 of 2023

R.N.MANJULA, J.

Nsr

W.P.(MD).No.23052 of 2023

11.07.2024