

W.P.No.6640 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

Coram

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

W.P.No.6640 of 2025 &

WMP.No.7280 of 2025

S.Roselin Arokiasamy

... Petitioner

-Versus-

1.The Union Territory of Puducherry,
by its Secretary, Department of Education,
Secretariat,
Puducherry – 605 001.

2.The Director of School Education,
Directorate of School Education,
Government of Puducherry,
Puducherry – 605 005.

3.The Senior Accounts Officer,
Directorate of School Education,
Government of Puducherry,
Puducherry – 605 005.

4.The Joint Director of School Education,
Directorate of School Education,
Government of Puducherry,
Puducherry – 605 005.

5.The Correspondence/Manager,
St.Ann's Government Aided
High School Cathedral Street,
Puducherry – 605 001.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the first respondent to appoint petitioner in the vacancy of Trained Graduate Teacher against which she was appointed by the School Management with retrospective effect from the date on which she was appointed on 15.10.2007 with all other consequential reliefs.

For Petitioner : *Mr.V.Ajaykumar*

For Respondents : *Mr.Syed Mustafa*
1 to 4 *Special Government Pleader*

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction against the first respondent, The Secretary, Department of Education, Union Territory of Puducherry to appoint the petitioner in the vacancy of Trained Graduate Teacher against which she was appointed by the School Management. The petitioner seeks that retrospective effect of such appointment should be given to the petitioner herein.

2. The claim of the petitioner is very seriously disputed by the learned Special Government Pleader, Union Territory of Puducherry.

3. In the affidavit filed in support of the writ petition, it had been



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contended that the petitioner had been appointed as a Trained Graduate Teacher with effect from 15.10.2007 in English Subject. It is claimed by the petitioner that she was so appointed in regular and sanctioned post. Now the petitioner seeks that such appointment should be regularised on and from the date on which she had been initially appointed/15.10.2007 and the benefits which had accrued also to be granted to her.

4. The learned Special Government Pleader, Puducherry however raised objections by stating that owing to the directions issued against such appointments by the school on the allegation that they were done on the basis of fraudulent certificates and forged documents, a Committee had been framed to examine the credentials of each and every candidate so appointed. It is also contended that the very nomenclature / post of trained graduate teacher was introduced by the Government of Puducherry only in the year 2008. The learned counsel for the petitioner however stated that said nomenclature was in vogue on and from 1998 onwards.

5. These are the issues that can be examined only by the Committee formed. The Committee had actually examined the credentials of the petitioner and in their remarks, they had stated that the petitioner has not been in service



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from 21.12.2019 and that the date of appointment is also disputable. Once the

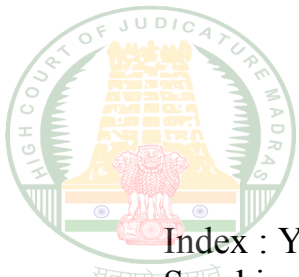
WEB COMMITTEE had raised that particular objection, it is for the school which had appointed the petitioner to clarify the entire issue.

6. A Mandamus cannot be issued on the basis of the averments made, which averments have been disputed by the very Committee which had been formed to examine the credentials of such appointment. This Committee had been constituted on a direction issued by the Division Bench of this court in W.A.No.2842 of 2018 batch. Therefore, the appointment of the petitioner must withstand the scrutiny of such Committee. Unfortunately, the Committee had given its remarks that the date of appointment of the petitioner is disputable and that the petitioner is not in service on and from 21.12.2019. This report of the Committee is dated 16.10.2023 and that particular report had not been challenged by the writ petitioner.

7. I am afraid I am not in a position to grant mandamus as sought for. The writ petitions stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

03.03.2025

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Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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To

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by its Secretary, Department of Education,
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C.V.KARTHIKEYAN, J.

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