



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 17.04.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 9011 of 2025

And

W.M.P.No. 10120 of 2025

P.Bhuvaneswari

... Petitioner

..Vs..

1. The Director of Matriculation Schools
DPI Campus
College Road
Chennai.
2. The Chief Educational Officer
First Floor,
Collectorate
Kanchipuram.
3. The District Educational Officer (Matriculation Schools)
Collectorate
Kanchipuram.
4. M.L.M.Mamallan Matriculation Higher Secondary School
No.44/-B/320, KTS Mani Street
Mamallan Nagar
Kanchipuram – 631 502.

... Respondents



PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 15.02.2025 issued by the fourth respondent and quash the same as illegal and consequently direct the fourth respondent to reinstate the petitioner into the service.

For Petitioner	:: M/s. K.M.Vijayan Associates
For RR 1 to 3	:: Mrs. S.Mythreye Chandru Special Government Pleader
For 4 th Respondent	:: Mr.D.Shivakumaran

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking a records relating to an order dated 15.02.2025 issued by the fourth respondent.

2. The petitioner in her affidavit had contended that she had been appointed as Secondary Grade Assistant temporary for a period of one year and joined on 03.06.1993. Thereafter, the selection committee appointed her temporarily in the academic year 1996-1997 as P.G. Assistant of the fourth



respondent school and she joined duty on 03.06.1996. She claimed that she had been promoted as Vice Principal of the school and is continuing with her duty with responsibility from the date of appointment till the date of filing of the Writ Petition, namely, 10.03.2025. The petitioner was visited with a memo issued by the fourth respondent on 23.01.2025 for alleged negligence in the assigned responsibilities and irregularity in reviewing the lesson plan notebooks of the teachers. The petitioner had given an explanation on 27.01.2025. But however, an order had been passed on 15.02.2025 relieving the petitioner from her post of Vice Principal (In Charge) and directing her to hand over the records to the Senior Principal. This order is put to challenge in the present Writ Petition.

3. A counter affidavit had been filed on behalf of the fourth respondent wherein it had been stated that the petitioner was only appointed as In-charge to the post of Vice Principal and therefore cannot claim any vested right to continue to hold that particular post for ever and ever.



4. The petitioner was only placed as In-Charge, that is till somebody else is given full charge. The petitioner considers her to hold full charge of the post of Vice Principal.

5. It is contended by the learned counsel for the fourth respondent that even before filing of the writ petition on 10.03.2025, further orders had been passed terminating the petitioner from service by an order dated 25.02.2025 which order was known to the petitioner as she had enclosed the copy of the same along with the documents filed in support of the Writ Petition. It is thus seen that the petitioner had only challenged an order relieving her from the post of Vice Principal (In-Charge). Once the petitioner had been designated as holding a post as in-charge, it would only mean that she is holding it temporarily till a regular appointee is posted to that particular post. The very word in-charge also signify that the petitioner was not appointed on full time basis or as Vice Principal. She was only holding that post till a person fully qualified to be appointed as Vice Principal is appointed or promoted. If such appointment or promotion is done, the petitioner will necessarily have to vacate the in-charge post. She cannot claim a permanent lien over the said post. As a matter of fact, the



petitioner had not thought it fit to challenge to order of termination.

Challenging the order now impugned will not take the petitioner anywhere since she now has been terminated from service and she had taken a conscious decision not to challenge the same atleast till this date.

6. The Writ Petitioner is therefore dismissed. Consequently, connected Miscellaneous Petition stands closed. No order as to costs.

7. The petitioner may take a decision to challenge the order of termination or not to challenge the order of determination. It is a decision to be taken by her and her alone by taking into consideration her carrier prospects.

17.04.2025

vsg

Index: Yes/No

Internet: Yes/No

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