



WEB COPY



W.P.No.14355 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.14355 of 2024

and

W.M.P.Nos.15579 & 28871 of 2024

The Correspondent/Secretary,
St. Mary's Primary School,
Melavalavandhacheri,
Needamangalam Taluk,
Thiruvarur District.

... Petitioner

-Vs-

- 1.The Director,
The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.
- 2.The Joint Director (Aided School),
The Joint Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The District Educational (Elementary) Officer,
Thiruvarur District, Thiruvarur.
- 4.Block Educational Officer,
Block Educational Office,
Needamangalam, Thiruvarur District.
- 5.Sr.Rose Bench Clara

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 2nd respondent in Na.Ka.No.009567/H4/2023 dated 13.05.2024 and quash the same and consequently direct the 1st respondent or any other competent officer to take up and dispose the appeal petition dated 14.08.2023 acknowledgement by the 2nd respondent on 13.09.2023 in accordance with law.

For Petitioner : Mr.S.Conscious Ilango

For Respondents : Mrs.S.Mythreya Chandru
Special Government Pleader [R1 to R4]
Mr.R.Veeramani [R5]

ORDER

This Writ Petition has been filed challenging the order passed by the 2nd respondent dated 13.05.2024 in the appeal filed by the petitioner herein.

2. In the petitioner's school, the 5th respondent was working as Head Mistress and she submitted her resignation on 11.11.2020, which was accepted by the petitioner and subsequently, a proposal was sent for approval before the 3rd respondent. However, the said approval was rejected, vide order dated 25.07.2023 on the ground that the 5th respondent



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did not submit her resignation voluntarily and she was compelled to give such a resignation letter. Aggrieved by the same, the petitioner preferred an appeal before the 2nd respondent. Pending appeal, the 5th respondent filed a writ petition before this Court in W.P.No.27240 of 2023 to implement the order passed by the 3rd respondent, dated 25.07.2023. This Court, by its order, dated 02.02.2024, disposed of the said writ petition, directing the 2nd respondent to dispose of the appeal filed by the petitioner, after giving opportunity of hearing to them and pass orders on merits and in accordance with law. However, the 1st respondent mechanically passed the impugned order, stating that the petitioner did not preferred any appeal against the order of the 3rd respondent rejecting the approval of the resignation of the 5th respondent. Challenging the same, the present writ petition is filed.

3. Though the 2nd respondent had given opportunity of hearing to the petitioner as well as the 5th respondent, however the 2nd respondent did not pass any order on the appeal filed by the petitioner, even though this Court had specifically directed the 2nd respondent to pass an order on the appeal filed by the petitioner, which is wholly unsustainable. Therefore, the



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impugned order passed by the 2nd respondent cannot be sustained and the same is liable to be quashed.

4. Accordingly, the impugned order in Na.Ka.No.009567/H4/2023 dated 13.05.2024 passed by the 2nd respondent herein, is hereby quashed. The matter is remanded back to the 2nd respondent for fresh consideration. While re-considering the same, the 2nd respondent is directed to issue fresh notice to the petitioner and the 5th respondent herein, after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

11.11.2025

Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
sp



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G.K.ILANTHIRAIYAN. J,

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