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W.P.(MD) No.5644 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.5644 of 2022

S.Rajesh

... Petitioner

-VS-

- 1.The Chief Educational Officer
Kanyakumari District
Nagercoil
- 2.The Church of South India
rep.by its Secretary
No.5, Whites Road
Royapettah, Chennai-600 014
- 3.C.S.I.Kanyakumari Diocese
rep.by Bishop
Nagercoil, Kanyakumari District
- 4.The Malaicode Pastor
Malaicode Pastorate Church
Kuttaicode District
Edaicode-629 152
Kanyakumari District



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5.The Headmaster
Aided Higher Secondary School
Mottakkala, Edaicode-629 152
Kanyakumari District

6.R.Raja Selva Singh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the impugned order passed by the 1st respondent in Na.Ka.No.486/E2/2021 dated 11.01.2022 and to quash the same as illegal in so far as in relates to in not taking action against the 6th respondent for holding the post of Secretary and Decon of 4th respondent Church is concerned and consequently directing the 1st respondent herein to take appropriate disciplinary action against the 6th respondent herein for functioning as Decon and Secretary of the 4th respondent Church, while working as P.G.Assistant (Tamil) in the 5th respondent Government Aided Higher Secondary School.

For Petitioner : Mr.D.Srinivasaragavan

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1
No appearance for R3 & R4
Mr.T.Cibi Chakraborty for R5 & R6



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ORDER

In this writ petition, the petitioner is aggrieved that contrary to the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974, the sixth respondent was elected as Secretary for the fourth respondent – Church.

2. However, it is an admitted fact that the tenure of the sixth respondent, by the passage of time, has already come to an end.

3. In view of the same, nothing survives for further adjudication in this writ petition. However, if the sixth respondent contests for the post of Secretary or any other office bearers' post in the fourth respondent – Church in future and if the petitioner is aggrieved by the same, the petitioner must be granted liberty to challenge the sixth respondent's appointment to the office bearers' post in the manner known to him under law.

4. Accordingly, after recording the fact that the tenure of the sixth respondent as Secretary in the fourth respondent – Church has already come to an end, this writ petition is disposed of as infructuous. However, liberty is granted to the petitioner to challenge the appointment of the sixth respondent



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as Secretary or any other officer bearers' post in the fourth respondent – Church, if the sixth respondent is elected to the said post in respect of the future periods, in the manner known to him under law. No costs.

20.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk

To:
The Chief Educational Officer,
Kanyakumari District,
Nagercoil.



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ABDUL QUDDHOSE, J.

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