



**WP(MD)No.11050 of 2021**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**Dated: 29.01.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**WP(MD)No.11050 of 2021**

**and**

**WMP(MD)No.8677 of 2021**

**V.Ruby Christy**

**... Petitioner**

**Vs**

1.The Director of School Education,  
Office of the Director of School Education,  
College Road, DPI Campus,  
Chennai.

2.The District Educational Officer,  
Office of the District Educational Officer,  
Sankarankovil,  
Tenkasi District.

3.The Block Educational Officer,  
Alangulam,  
Tenkasi District.

4.Gnana Guru Vidyasalai,  
Primary School,  
Venkateswarapuram @ Reddiarpatti,  
Tenkasi District.

**... Respondents**



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 3 to promote the petitioner as a Head Master of 4<sup>th</sup> respondent school/ Gnana Guru Vidyasalai Primary School at Venkateswarapuram @ Reddiarpatti, Tenkasi District on the basis of his representation dated 22.06.2021 within time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For Respondent : Mr.G.V.Vairam Santhosh,

Nos.1 to 3 Additional Govt.Pleader

For Respondent : Mr.H.Arumugam

No.4

### **ORDER**

The petitioner is working as a Secondary Grade Teacher in the 4<sup>th</sup> respondent primary school. The petitioner has submitted a representation on 22.06.2021 that she is eligible for promotion as Headmistress in the 4<sup>th</sup> respondent school and has filed this writ petition seeking a mandamus.

2.The stand of the official respondents is that the representation of this petitioner for the post of Headmistress can be considered only if



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there is any proposal from the Secretary of the 4<sup>th</sup> respondent the school.

However, in this case, the Secretary of the 4<sup>th</sup> respondent school is involved in a criminal case in crime No.317 of 2020 on the file of the Inspector of Police, Devarkulam Police Station for the offence under Sections 406 and 420 of IPC and he was also absconding. Therefore, according to the learned Additional Government Pleader the 4<sup>th</sup> respondent school is under direct payment and the appointment of Secretary to the 4<sup>th</sup> respondent school is yet to be approved. Therefore, in the absence of the Secretary or any proposal from the 4<sup>th</sup> respondent school, the representation of this petitioner cannot be considered by the official respondents.

3.The learned Counsel for the 4<sup>th</sup> respondent school submits that the petitioner's son claims 2/3<sup>rd</sup> share in the administration of the school and has also filed a writ petition before this Court in WP(MD) No.7880 of 2021. In this writ petition, this Court has ordered for direct payment by an order dated 23.04.2021. He further submits that since the petitioner has invited an order of direct payment, the 4<sup>th</sup> respondent is not in a position to recommend the petitioner for being promoted as a



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Headmistress. He further submits that the criminal case referred by the learned Additional Government Pleader in crime No.317 of 2020 is due to the dispute among the family members and that case has also been closed as mistake of fact.

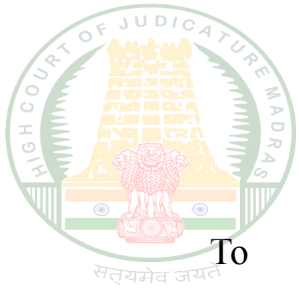
4.Considering the rival claims, this Court is of the view that there cannot be any mandamus directing this petitioner to be appointed as the Headmistress and therefore, the petitioner has to work out to her remedy in the writ petition filed by her son in WP(MD) No. 7880 of 2021.

5.Accordingly, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is dismissed.

29.01.2025

Internet : Yes / No

DSK



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**B.PUGALENDHI, J.**

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