



W.P.(MD).No.14959 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD).No.14959 of 2019

Suganthi

... Petitioner

Vs.

1.The Chief Educational Officer,
Tirunelveli.

2.The District Educational Officer,
Tirunelveli.

3.The Block Educational Officer,
Radhapuram,
Tirunelveli District.

4.The Correspondent,
St.Anthoniar Primary School,
Thoppuvilai West,
Urumankulam Post,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to permit the petitioner to attend the petitioner duty as Head Master in 4th respondent school after signing in attendance register forthwith.

For Petitioner : Mr.T.A.Ebenezer

For R-1 to R-3 : Mr.N.Satheesh Kumar
Additional Government Pleader



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For R-4

: Mr.R.J.Karthik

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ORDER

This Writ Petition is filed for Mandamus seeking direction to the respondents to permit the petitioner to attend duty as Headmistress in the fourth respondent school after signing in attendance register forthwith.

2. The learned counsel for the petitioner submitted that the petitioner was appointed as Headmistress of the fourth respondent School as per order dated 18.05.2018 and she was directed to join duty from 01.06.2018. Accordingly, she had also joined duty and was continuously working there. Subsequently, on 10.04.2019, she lodged a complaint to Respondent No.2 stating that due to dispute with the School Management, she had not been permitted to serve as Headmistress. Since the Education Department has not given proper instructions in this regard, she has come forward with a Writ Petition for Mandamus to the Education Department to direct the Private School Management/fourth respondent herein to permit her to continue her service as Headmistress.

3. When the matter is taken up for hearing today, the learned counsel for the fourth respondent, by filing a counter, stated that the petitioner was



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dismissed from service on 10.04.2019 itself and though on that date, the order was served on her, she has refused to receive the same. She has come forward with a representation as if she was prevented from her employment and filed this Writ Petition alleging that she has not been permitted to continue her service.

4. Though the learned counsel for the petitioner submits that the petitioner has not been served with notice and not been informed about the dismissal, I am of the view that since there is a dismissal order served on her during the pendency of the Writ Petition and considering the nature of the Writ proceedings and the issue involved, the legality of the dismissal could not be considered in the Writ Petition. Hence, the Writ Petition is liable to be dismissed.

5. Accordingly, the Writ Petition stands dismissed with liberty to the petitioner to challenge the dismissal order dated 10.04.2019. There shall be no order as to costs.

30.07.2025

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



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K.RAJASEKAR,J.

Lm

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