

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Nineteenth day of December Two Thousand Seventeen

PRESENT

THE HON'BLE MR.JUSTICE T.RAJA

WP No.33041 of 2017

and WMP No.36418 of 2017

K.ALEXANDER BARNABAS, [PETITIONER IN BOTH THE PETITIONS]
S/O.LATE PROF.K.BARNABAS, NO.73-D,
HILAND COTTAGE, BANDISHOLA,
UDHAGAMANDALAM

Vs

1 THE CHAIRMAN, [RESPONDENTS IN BOTH THE PETITIONS]
BREEKS MANAGEMENT COMMITTEE DISTRICT
COLLECTOR, UDHAGAMANDALAM, THE NILGIRIS

2 THE CHIEF EDUCATIONAL OFFICER
UDHAGAMANDALAM, THE NILGIRIS

3 THE INSPECTOR OF ANGLO
INDIAN SCHOOL, DPI COMPOUND, CHENNAI-06

4 THE HEADMASTER CUM
CORRESPONDENT BREAKS MEMORIAL ANGLO INDIAN
HIGHER SECONDARY SCHOOL, UDHAGAMANDALAM,
THE NILGIRIS

Writ Petitions under Article 226 of the Constitution of India
praying that in these circumstances stated therein and in the
respective affidavits filed therewith the High Court will be pleased
to

(i) issue any appropriate writ, order or direction, in the nature
of writ of certiorarified mandamus, calling for the records relating
to proceedings of the 1st respondent in Na.Ka. No.1-20584/ 2017,dated
23.11.2017 and to quash the same as illegal and invalid and
consequently direct the 1st respondent to reinstate the petitioner in
the post of Correspondent and permit him to work till 31.05.2018 as
correspondent in the 4th respondent Institution, without break in
service (in WP.33041/2017) and

(ii) pass an order of Interim stay of all further proceedings pursuant to the proceedings of the 1st Respondent in Na.Ka. No.1-20584/ 2017, dated 23.11.2017 (in WMP.36418/017) pending WP No.33041/2017 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.ASHOK MENON, Advocate for the petitioner in both the petitions, the court made the following order:-

Heard learned counsel for the petitioner. Notice to the respondents returnable in four weeks.

2. The petitioner although reached the age of superannuation and retired from service with effect from 30.11.2016 from the post of Head Master and Correspondent, a proceedings was passed on 31.05.2017 by Chairman of Breeks Management Committee cum District Collector, Nilgiris permitting him to continue only in the post of Correspondent till 31.05.2018. When the said term has not come to an end, all of a sudden, impugned order dated 23.11.2017 has been passed by another Chairman of Breeks Management Committee without any rhyme or reason and not even a notice has been issued. Therefore, the impugned order dated 23.11.2017 shall remain stayed for a period of four weeks. Post after four weeks.

-sd/-
19/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHAIRMAN,
BREEKS MANAGEMENT COMMITTEE DISTRICT
COLLECTOR, UDHAGAMANDALAM, THE NILGIRIS

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UDHAGAMANDALAM, THE NILGIRIS

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+2 C.C. to M/S.ASHOK MENON Advocate SR.NO. 16266

Order

in

WP.33041/2017

and WMP.36418/2017

Date :19/12/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
JK 21/12/17