

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08/11/2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.38925 of 2016

A.Rajeswari

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. by its Secretary to Government,
School Education Department,
Secretariat, Chennai-9.
2. The Director of Elementary Education,
Chennai-6.
3. The District Elementary Educational Officer,
Namakkal.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 2nd respondent herein to consider and pass orders in accordance with law on the petitioner's appeal petition dated 14.09.2016 for appointment of petitioner as Secondary Grade Teacher w.e.f. 29.11.2011 i.e., the date of High Court Order, in the light of this Court order dated 29.11.2011 in W.P.No.5855 of 2007 and W.A.No.1407 of 2013 dated 13.03.2014, within a period stipulated by this Court.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.V.Anandhamoorthy,
Additional Government Pleader

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed to issue a Writ of Mandamus, directing the 2nd respondent herein to consider and

pass orders in accordance with law on the petitioner's appeal petition dated 14.09.2016 for appointment of petitioner as Secondary Grade Teacher w.e.f. 29.11.2011 i.e., the date of High Court Order, in the light of this Court order dated 29.11.2011 in W.P.No.5855 of 2007 and the judgment in W.A.No.1407 of 2013 dated 13.03.2014, within a period stipulated by this Court.

3. Though very many contentions have been raised in this affidavit filed in support of the Writ Petition, at the time of making submission, the learned Counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is issued to the 2nd respondent to dispose of the appeal dated 14.09.2016 filed by the petitioner, within a specified time.

4. In view of the submission now made by the learned Counsel for the petitioner, this Court, without going into the merits of the claim of the petitioner, directs the 2nd respondent to consider and dispose of the appeal dated 14.09.2016 of the petitioner on merits and in accordance with law and also in the light of this Court order dated 29.11.2011 in W.P.No.5855 of 2007 and the judgment in W.A.No.1407 of 2013 dated 13.03.2014, within a period of eight weeks from the date of receipt of a copy of this Order. It is made clear that this Court has not expressed any opinion regarding the claim of the petitioner. It is for the 2nd respondent to decide the same on merits.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat,
Chennai-9.
2. The Director of Elementary Education,
Chennai-6.

3. The District Elementary Educational Officer,
Namakkal.

+1cc to Mr.A.Rajakumar, Advocate, S.R.No.63572

+1cc to the Government Pleader, S.R.No.64374

W.P.No.38925 of 2016

GMI (CO)
CA(14/12/2016)



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