



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Writ Appeal (MD) No.464 of 2015
& C.M.P(MD)No.4742 of 2016

T.Pushpanathan,
Correspondent / Educational Agency,
Alagammai Achi Memorial Aided Elementary School,
Pallathur, Karaikudi Taluk,
Sivagangai District.

... Appellant/Petitioner

-Vs-.

1. Director of Elementary Education,
Chennai - 600 006.
2. District Elementary Educational Officer,
Sivagangai, Sivagangai District.
3. Assistant Elementary Educational Officer,
Sakkottai at Karaikudi,
Sivagangai District.

4.K.R.Annamalai
5.K.R.Alagappan

... Respondents/Respondents

Appeal filed under Clause 15 of Letters Patent praying to set aside the order passed in W.P.(MD)No.4821 of 2013, dated 05.03.2015 and allow the above Writ Appeal.

Prayer in WP(MD). 4821/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction, in the nature of writ, calling for the records pertaining to the order passed by the 2nd Respondent in his proceedings Mu.Mu.No.550/A4/2013 dated 06.03.2013 and the consequential direct payment order in his proceedings Na.Ka.No.600/A4/2013 dated 06.03.2013 and Quash the same, and direct the Respondent to confer all the consequential benefits.



For Appellant : Mr.V.Panneer Selvam
for M/s.C.S.Associates
For Respondents : Mr.V.R.Shanmuganathan
1 to 3 Special Government Pleader
For Respondent 4 : Mrs.S.Srimathy
For Respondent 5 : Mr.D.Panneerselvam

JUDGMENT

(Judgment of the Court was delivered by NOOTY.RAMAMOHANA RAO,J)

The petitioner in W.P.(MD)No.23522 of 2015, who has preferred incidentally this Writ Appeal (MD) No.464 of 2015 against the order passed in W.P.(MD) No.4821 of 2013 seeks permission to withdraw this writ appeal with liberty to pursue the remedy available to him to raise this contention in W.P.(MD)No.9217 of 2015. Accordingly, this Writ Appeal stands dismissed as withdrawn with liberty by keeping open the contention canvassed herein to be agitated in W.P.(MD) No.9217 of 2015. Let the writ petition be heard by the learned Single Judge. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Elementary Education,
Chennai - 600 006.
 2. The District Elementary Educational Officer,
Sivagangai, Sivagangai District.
 3. The Assistant Elementary Educational Officer,
Sakkottai at Karaikudi,
Sivagangai District.
- + 1 CC TO Mr.V.PANNEERSELVAM, ADVOCATE IN SR No. 49485
+ 1 CC TO Mr.S.M.S.JOHNNY BASHA, ADVOCATE IN SR No. 49071

SRM
TE/GSV-PM : 27/09/2016 : 2P/6C

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and
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