



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.[MD].No.1026 of 2014
and
M.P.(MD) No.2 of 2014

- 1.The Director of Elementary Education, Chennai - 600 006.
- 2.The District Elementary Educational Officer, Tirunelveli - 1.
- 3.The Additional Assistant Elementary Educational Officer,
Alangulam,
Tirunelveli District. : Appellants/Respondents

Vs.

David Primary School
Rep. By its Secretary,
Aravankudiyiruppu,
Nallur Post,
Alangulam Taluk,
Tirunelveli District.

: Respondent/Writ Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 26.02.2014 in W.P.(MD).No.4181 of 2012, on the file of this Court.

Prayer in WP(MD). 4181/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned order passed by the third respondent in his proceedings in Aa. Thi. Mu. No.98/A3/2012 dated 10.02.2012 and quash the same and consequently direct the respondents to accept the proposal dated 06.01.2012 as per the Judgement in W.P.(MD)No.10020 of 2010 dated 24.08.2011.

For Appellants
For Respondent

: Mr.V.Muruganantham, AGP
: Mr.V.Panneerselvam for
M/s.C.S.Associates



JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.V.Muruganantham, learned Additional Government Pleader appearing for the appellants and Mr.V.Panneerselvam, learned counsel for the respondent.

2.This appeal is directed against the order dated 26.02.2014 made in W.P.(MD) No.4181 of 2012.

3.In the said writ petition, the respondent School sought for quashing the order passed by the third appellant dated 10.02.2012 and to direct the appellant to expedite the proposal dated 06.01.2012 as per the order made in W.P.(MD) No.10200 of 2010 dated 24.08.2011.

4.Mr.V.Pannerselvam, learned counsel for the respondent/writ petitioner would submit that during the pendency of the appeal instead of seeking for approval of fresh appointment, the Management sought for transfer of a Teacher from some other school, where the post was declared surplus and as the order was passed by the Department and the post along with Teacher has been transferred to the respondent School.

5.In the light of the subsequent development, no further order is required and accordingly, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Director of Elementary Education, Chennai - 600 006.
 - 2.The District Elementary Educational Officer, Tirunelveli-1.
 - 3.The Additional Assistant Elementary Educational Officer, Alangulam, Tirunelveli District.
- +1 cc to Mr.V.Panneer Selvam, Advocate, SR.No.53079
+1 cc to Special Government Pleader, SR.No. 53142

**JUDGMENT MADE IN
W.A. [MD].No.1026 of 2014 and
M.P. (MD) No.2 of 2014
19.04.2017**