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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.A.[MD].No.432 of 2017

and

C.M.P(MD).No.4004 of 2017

1. The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort.St.George.Chennai 600 009.
2. The Director of Elementary Education,
College Road, Chennai 600 006.
3. The District Elementary Educational Officer,
Madurai, Madurai District.
4. The Assistant Elementary Educational Officer,
Madurai South, Madurai District. :Appellants/Respondents

Vs.

The Correspondent,
St.Mary's R.C.Primary School,
Kezhavasal 625 001,
Madurai District.

: Respondent/Writ Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 30.04.2013 made in M.P.(MD).No.2 of 2013 in W.P.(MD).No.7666 of 2013, on the file of this Court.

Prayer in MP(MD). 2/ 2013 in WP(MD).7666/2013 :

To grant an Ad Interim Orders directing the 3rd respondent District Elementary Educational Officer to approve the appointment of A. Gurush Raja as Secondary Grade Teacher in the petitioner school w.e.f. the date of the appointment on 01.08.2011 with all attendant benefits within a reasonable time as may be prescribed by this Hon'ble Court with a condition that he should pass the Teachers Eligibility Test within 5 years from the date of appointment, pending disposal of the Writ Petition.

Prayer in WP(MD). 7666/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Proceedings issued by the 4th respondent Assistant Elementary Educational Officer in A. Thi.Mu.No.392/A1/2012 dated 30.04.2012, quash the same and further direct the 3rd respondent District Elementary Educational Officer to approve forthwith the



appointment of A. Gurush Raja as Secondary Grade Teacher in the petitioner school w.e.f. the date of the appointment on 01.08.2011 with all attendant benefits including the arrears of salary and allowances.

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For Appellants

: Mr.V.Muruganantham

Additional Government Pleader

For Respondent

: Mr.T.Cibi Chakraborty

JUDGMENT

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

This Writ Appeal has been filed against the interim order dated 30.04.2013 made in M.P.(MD).No.2 of 2013 in W.P.(MD).No.7666 of 2013.

2. It is reported by the learned counsel appearing for the respondent that the main Writ Petition in W.P.(MD).No.7666 of 2013 was allowed by the Division Bench, by a Common Order dated 24.08.2016.

3. In view of the above, nothing survives for further adjudication in this Writ Appeal. Hence, the Writ Appeal is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Department of School Education,
Fort.St.George.Chennai 600 009.
2. The Director of Elementary Education,
College Road, Chennai 600 006.
3. The District Elementary Educational Officer,
Madurai, Madurai District.
4. The Assistant Elementary Educational Officer,
Madurai South, Madurai District.

JUDGMENT MADE IN
W.A. [MD] .No.432 of 2017
21.04.2017

JM/RSK/05.05.2017/2P/5C