



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJAW.P.(MD).No13951 of 2017andW.M.P.(MD)No.10906 of 2017

P.Jansi

.. Petitioner

Vs.

- 1.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.
- 2.The District Educational Officer,
Tirunelveli District.
- 3.The Assistant Account Officer,
Office of the Accountant General (A&E),
Chennai - 600 018.
- 4.The Correspondent,
Cathedral Higher Secondary School,
Palayamkottai,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the fourth respondent to pass an order of re-appointment to the petitioner permitting the petitioner to continue the petitioner's duty as Headmistress in Cathedral Higher Secondary School, Palayamkottai, till the end of academic year 2017-2018 (from 01.08.2017 to 31.05.2018).

For Petitioner : Mr.G.Prabhu Rajadurai

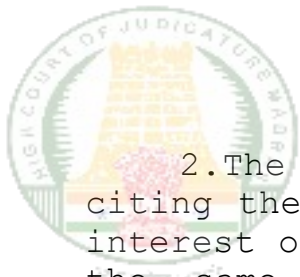
For Respondents 1 to 3 : Mr.R.Karthikeyan

Additional Government Pleader

ORDER

The petitioner who was appointed as PG Assistant and posted in St.Peter's Higher Secondary School, Ukkirankottai, in the year 1982, was promoted to the post of Headmistress. She is about to reach the age of superannuation on 31.07.2017. Therefore, she has given a representation for re-employment, as her date of retirement falls in the middle of the academic year, since, it

<https://www.madras.gov.in/e-services> would cause prejudice to the students. Since, the said request has not been responded favourably, the petitioner has come before this Court.



2.The petitioner gave her application seeking re-employment, citing the reason that if the representation is not accepted, the interest of the students would be greatly affected. On receipt of the same, re-employment certificate has been issued by the Correspondent, Cathedral Higher Secondary School, Palayamkottai, stating that she attains the age of superannuation on the afternoon of 31.07.2017 and she is also entitled to have the benefit of re-employment from 01.08.2017 to 31.05.2018 and she will be relieved from service on the afternoon of 31.05.2018. Pursuant to which, the third respondent has also issued a re-employment pay, upto 31.05.2018, copy of which is also issued to the District Educational Officer. In spite of above all, it is stated that the respondents have not come forward to allow the petitioner to continue in service.

3.At this stage, the learned Additional Government Pleader appearing for the respondents fairly submitted that the petitioner's original representation is found missing, in view of the change of management. Therefore, if the petitioner gives a fresh representation citing the same, it would be immediately responded.

4.Recording the same, the petitioner is directed to give a fresh representation along with a copy of this order and the respondents are directed to re-employ the petitioner from the date of her age of superannuation as per the re-employment certificate issued by the fourth respondent.

5.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The Chief Educational Officer, Tirunelveli District,
Tirunelveli.

2.The District Educational Officer, Tirunelveli District.

3.The Assistant Account Officer,

Office of the Accountant General (A&E), Chennai - 600 018.

+One cc to Mr.G.Prabhu Rajadurai, Advocate, SR.No.68490

+One cc to The Special Government Pleader, SR.No.69018

MR/VSG

RL/6C/2P/KP/SAR2/17/8/2017

ORDER MADE IN
W.P. (MD) .No.13951 of 2017

27.07.2017