

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.24137 OF 2000

ORDER:

1. This writ petition is filed by the petitioner seeking to issue a writ of certiorari calling for the records relating to and connected with the proceedings dated 21.4.1999 issued by the 4th respondent as arbitrary and illegal, and to quash the same and to issue a consequential direction to re-examine the case of the petitioner for approval of his appointment in the aided post.

2. Heard Sri Prakash Buddaraju, learned Counsel for the petitioner and the learned Government Pleader for School Education.

3. It is the case of the petitioner that he was initially appointed as B.Ed., assistant in the unaided post in R.C.M. Gyanalaya U.P. School, Christurajapuram, Duvvur on 16.6.1986 vide proceedings issued by the 6th respondent and that the 6th respondent has been running various schools and institutions, which are receiving Grant-in-aid, and that the petitioner is entitled for absorption in aided vacancy.

4. It is brought to the notice of this Court that the petitioner died during the pendency of this writ petition and his legal representatives were brought on record vide orders of this Court dated 7.3.2008 and even otherwise, the age of the petitioner at the time of filing this writ petition was 46 years and at this point of time, there cannot be a direction to absorb the deceased petitioner into aided post as cause in the writ petition does not survive for adjudication.

5. It is stated that on 8.12.2000, this Court granted interim suspension of the impugned proceedings while directing to continue the petitioner in service, and that by virtue of the said interim order, the petitioner was continued in service as teacher in the 6th respondent-school. It is needless to say that the 6th respondent shall pay the terminal benefits to which the petitioner was entitled to as per the rules.

6. With the above observation, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

7th December, 2017
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(ABHINAND KUMAR SHAVILI, J)



THE HON'BLE Mr. ABHINAND KUMAR SHAVILI



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