

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10938 of 2013

K.Palani

... Petitioner

vs.

1. The District Educational Officer,
Chennai Education District,
(Central Madras),
Saidapet, Chennai - 600 015.
2. The Secretary and Correspondent
Y.M.C.A.School Committee,
Y.M.C.A. College Sports Higher Secondary School,
Nandanam, Chennai - 600 035. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorarified Mandamus, to call for the records from the 2nd respondent made on 30.12.2012 quash the same and consequently directing the 2nd respondent for service extension of the petitioner's up to the Academic year 2012-2013 for approval to the 1st respondent.

For Petitioner : Mr.D.Bharathy
For Respondents : Mr. K.Karthikeyan for R1
Government Advocate
M/s.M.R.Preethi
for J.Sivanandaraj for R2

ORDER

The relief sought for in the present writ petition is to quash the order of rejection passed by the respondents in proceeding dated 30.12.2012 and direct the 2nd respondent to grant service extension to the writ petitioner up to the academic year 2012-2013.

2. It is brought to the notice of this Court that, the writ petitioner was allowed to retired from service on attaining the age of superannuation. However, the extension of service as per the Government orders till the end of the academic year had not been granted to the writ petitioner and hence the petitioner is constrained to move the present writ petition.

3. This Court is of an opinion that, grant of extension of service can never be claimed as a matter of legal right. Extension of services can be granted only with reference to the terms and conditions stipulated in the Government orders. Good conduct of a Teacher and his past services are to be considered while taking decisions to grant extension of services. This being the principles to be followed, this court is of an opinion that, the case of the writ petitioner cannot be considered more so after this limit of time in the present writ petition.

4. It is brought to the notice of this Court that, the writ petitioner was allowed to retired from service on 31.08.2012. There was no interim order in the writ petition and therefore the relief as such sought for in the present writ petition deserves no further consideration.

5. Accordingly the writ petition stands dismissed. No Costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

pkn

To

1. The District Educational Officer,
Chennai Education District,
(Central Madras),
Saidapet, Chennai - 600 015.

+lcc to Government Pleader in sr.no.71070
+lcc to J.Sivanandaraj, Advocate sr.no.70896
+lcc to Mr.D.Bharathy, Advocate sr.no.70818

nr 01/11/2018

W.P.No.10938 of 2013