

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.A.No.1007 of 2011
and M.P.No.1 of 2011

C.Maragathavalli
..

Appellant/Third Party

Vs

1.V.Jeyabharathi

2.The Director of Elementary
Education, Chennai - 6.

3.The District Elementary
Educational Officer,
Virudhunagar.

4.The Assistant Elementary
Educational Officer,
Rajapalayam,
Virudhunagar District.

... Respondents

Appeal preferred under Clause XV of Letters Patent against
the order dated 18.10.2010 made in W.P.No.7315 of 2009.

W.P.No.7315 of 2009

Writ Petition filed under Article 226 of the Constitution of India Praying to issue a writ of certiorarified Mandamus or any other appropriate writ, to call for records in pursuance to the impugned order passed by the first respondent in Na.Ka.No.16170/D3/2007 dated 11.06.2007 and to quash the same and consequently direct the respondents to restore the seniority of the petitioner in the cadre of secondary grade teacher in the Rajapalayam Union without reference to the impugned order passed by the first respondent in Na.Ka.No.16170/D3/2007 dated 11.06.2007 and effect consequential promotion to the post of Elementary School Headmistress.

For Appellant .. Mr.C.Jagadish
For Respondents .. Mr.Munusamy,
Spl. Govt. Pleader for R2 to R4
R1 - No appearance

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is directed against the order dated 18.10.2010 made in W.P.No.7315 of 2009.

2.The appeal is pending from the year 2011 onwards. This appeal is filed by a third party aggrieved over the order of the learned single Judge. From the year 2011 onwards, the appellant could not serve the contesting respondent. This has already been recorded by this Court by order dated 07.04.2015. Unfortunately, the same position continues today. Learned counsel is also not able to get clear instructions about the subsequent development. Therefore, we are not inclined to keep the matter pending any longer. Accordingly, the writ appeal stands dismissed. However, liberty is given to the appellant to file appropriate petition for restoration, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Director of Elementary
Education, Chennai - 6.

2.The District Elementary
Educational Officer,
Virudhunagar.

3.The Assistant Elementary
Educational Officer,
Rajapalayam,
Virudhunagar District.

+1cc to Mr.C.Jagadish, Advocate, S.R.No.78963

+1cc to the Government Pleader, S.R.No.79175

W.A.No.1007 of 2011

SJ(CO)
GSP(10/12/2018)