

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2018

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.A.No.1672 of 2018
and
C.M.P.No.13435 of 2018

- 1.The Government of Tamil Nadu
rep.by the Additional Chief Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Collectorate Building, 'B' Block
Sathuvachari, Vellore-632 009.
- 4.The District Educational Officer,
The Office of the District Educational Officer (Chennai
Central),
Kasthamettu Street,
Kosapet, Vellore-632 001.

... Appellants/1 to 4th /Respondents/1 to 4th Respondents

सत्यमेव जयते
-vs-

- 1.D.Christopher Sudhakar
... Respondents/Petitioner/Petitioner

- 2.The Correspondent,
C.S.I.Andrew's Higher Secondary School,
Arakkonam-631 001,
Vellore District.

... Respondent5th/ Respondents5th/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.No.11926 of 2015 dated 23.04.2015.

W.P.No.11926 of 2015

Writ Petition is filed under section 226 of the Constitution of India, praying to issue a writ of certiorarified Mandamus Calling for the records pertaining to the impugned G.O.Ms.No.181 School Education (C2) Department dated 15.11.2011 on the file of the 1st respondent and he consequential proceedings dated 13.09.2013 in O.Mu.No.3720/A5/2013 on the file of the 4th respondent and quash the same in respect of the petitioner directing the respondents to approve the appointment of the petitioner Mr.D.Christopher Sudhakar B.T.Asst. (Science) in C.S.I.Andrews Higher Secondary School Arakkonam 631 001 Vellore District w.e.f. 4.7.2012 with all service benefits.

For Appellants :: Mr.C.Munusamy, Spl.GP

For Respondents :: Mrs.Arul Mary for R1

JUDGMENT

(Delivered by THE HON'BLE ACTING CHIEF JUSTICE)

The first respondent herein has filed a writ petition in W.P.No.11926 of 2015 to set aside the order passed in G.O.(Ms) No. 181, School Education (C2) Department, dated 15.11.2011, on the file of the first appellant herein, and the consequential proceedings of the fourth appellant dated 16.11.2012, in so far as it imposes an illegal condition to complete Teacher Eligibility Test exam on or before 31.03.2015. In the said writ petition, an interim order was granted by this Court on 23.04.2015. Challenging the same, the present appeal has been filed.

2.When this appeal was taken up, the learned Special Government Pleader appearing for the appellants has submitted that as per the decision of this Court in Secretary to Government v. S.Jeyalakshmi, reported in (2016) 7 MLJ 155, action has been taken by the Management itself not to insist for Teacher Eligibility Test.

3.In view of the above submission made by the learned Special Government Pleader, the matter in this appeal has become infructuous and accordingly, the writ appeal is dismissed as infructuous. No costs. Consequently the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
 - 2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
 - 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Collectorate Building, 'B' Block
Sathuvachari, Vellore-632 009.
 - 4.The District Educational Officer,
The Office of the District Educational Officer (Chennai
Central), Kasthamettu Street, Kosapet, Vellore-632 001.
- +2cc to Mr.Father Xavier Associates, Advocate, S.R.No.54609
+1cc to the Government Pleader, S.R.No.54761

W.A.No.1672 of 2018
and
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MR(CO)
GSP(06/09/2018)

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