

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.1783 of 2018
and
C.M.P.No.14461 of 2018

1. The District Elementary Education Officer,
Villupuram District.
 2. The Additional Assistant Elementary Education Officer,
Melmalayanoor, Villupuram District.
- Appellants

Versus

1. K.Kavitha
 2. The Manager,
Aided Elementary School,
Chithagampoondi Melmalayanoor,
Sathambadi Post
Tindivanam Taluk 604 204.
Villupuram District.
- Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 14.7.2015 passed in M.P.No.1 of 2013 in W.P.No.32239 of 2013 on the file of this court.

W.P.No.32239 of 2013:

Petition praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue an interim direction directing the respondents 1 & 2 to give temporary approval for appointment of the Petitioner as Secondary Grade Teacher in the 3rd Respondent School (in M.P.No.1 & 1 of 2015) pending W.P.No.32239 & 32240/2013 respectively.

W.P. Presented under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to approve the appointment of the Petitioner as Secondary Grade Teacher in the third respondent School from the date of her appointment viz., 03.01.2012 with all consequential service and monetary benefits within time to be stipulated.

For appellant : Mr.C.Munusamy,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned Special Government Pleader appearing for the appellants.

2. The writ appeal has been filed by the State challenging the interim order passed by the learned Single Judge directing the authorities to grant temporary approval.

3. Para 2 of the order passed by the learned Single Judge reads thus:-

"This court passed various orders granting temporary approval for a period of five years from the date of appointment, taking note of the fact that there is dearth of TET hands and TET examination is not held periodically and a condition was imposed that the Teacher shall pass TET within the said period. Even in the year 2014 and 2015, no TET examination was held. Hence, a direction is given to grant temporary approval for a period of five years from the date of appointment, to the petitioners, who are the secondary grade teachers. If the petitioners fail to get TET qualification before the period of five years, they shall vacate the office."

4. It appears that during the pendency of the matter, the first respondent herein viz., Kavitha had resigned from the job on 27.4.2015. As such, this appeal becomes infructuous. Accordingly, the same is dismissed. No costs. The connected miscellaneous petition is also dismissed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

ssk.
To:

1. The District Elementary Education
Officer,
Villupuram District.

2. The Additional Assistant Elementary
Education Officer,
Melmalayanoor, Villupuram District.

3. The Manager,
Aided Elementary School,
Chithagampoondi Melmalayanoor,
Sathambadi Post
Tindivanam Taluk 604 204.
Villupuram District.

W.A.No.1783 of 2018

KS (CO)
SP(10/10/2018)



WEB COPY