

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.9.2018

CORAM

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

W.A.No.1975 of 2018
and
C.M.P.No.15752 of 2018

- 1 The Government of Tamil Nadu
Rep. by The Addl. Chief Secretary
Department of School Education
Fort St. George Madras-600 009.
- 2 The Director of Elementary
Education DPI Campus
College Road Chennai-600 006.
- 3 The District of Elementary
Education Officer
Office of the District Educational Officer
Master Plan Complex, Villupuram
Villupuram District 605 602.
- 4 The Assistant Elementary
Educational Officer
The Office of the District Elementary
Educational Officer
Vallam Villupuram District 604 204. ..Appellants

Versus

- 1 Sr.S.Celine
- 2 The Correspondent
Anilady Gingee Taluk Periyathachur (Via)
Villupuram District-605 651. ..Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 15.12.2015 passed in M.P.No.3 of 2015 in W.P.No.39308 of 2015 on the file of this court.

W.P.No.39308 & 39309/2015 & M.P.No.2 & 3/2015:

Writ Petitions under Article 226 of the constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(A) (i) issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of a Writ 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 the consequential proceedings dated 13.08.2015 in O.Mu.No. 562/A1/2015, on the file of the 4th respondent, and quash the same in respect of the petitioner, directing the respondents to approve the appointment and release salary to the petitioner Sr.S.Celine, working as Secondary Grade Teacher in R.C.Middle School, Anilady, Gingee T.K, Periyathachur (Via), Villupuram Dt.-605 651, w.e.f. 23.06.2015, with all service benefits (in WP.39308/2015);

(ii) issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of a Writ 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 the consequential proceedings dated 12.08.2015 in Na.Ka.No. 326/A/2015, on the file of the 4th respondent, and quash the same in respect of the petitioner, directing the respondents to approve the appointment and release salary to the petitioner Sr.N.Caroline Libiya, working as Secondary Grade Teacher in R.C.Primary School, Thuringipoondi, Valathy (Via), Villupuram Dt -604 208, w.e.f. 01.06.2015, with all service benefits (in WP.39309/2015);

(B) (i) To grant an order of interim stay of all further proceedings of the impugned G.O.(Ms).No.181, School Education (C2) Department, Dated 15.11.2011, on the file of the 1st respondent and the consequential proceedings dated 13.08.2015 in O. Mu. No. 562/A1/2015, on the file of the 4th respondent, in respect of the petitioner (in MP.2/15 in WP.39308/2015);

(ii) To grant an order of interim stay of all further proceedings of the impugned G.O.(Ms).No.181, School Education (C2) Department, Dated 15.11.2011, on the file of the 1st respondent and the consequential proceedings dated 12.08.2015 in Na.Ka.No. 326/A/2015, on the file of the 4th respondent, in respect of the petitioner (in MP.2/15 in WP.39309/2015);

(C) (i) To direct the respondents to pay salary to the petitioner working as Secondary Grade Teacher in R.C.Middle School, Anilady, Gingee T.K. Periyathachur (Via), Villupuram Dt. -605 651, w.e.f. 23.06.2015, (in MP.3/15 in WP.39308/2015);

(ii) To direct the respondents to pay salary to the petitioner working as Secondary Grade Teacher in R.C.Primary School, Thuringipoondi, Valathy (Via), Villupuram Dt. -604 208, w.e.f. 01.06.2015 (in MP.3/15 in WP.39309/2015) respectively

pending WP.Nos.39308 & 39309 of 2015.

For appellants : 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 for some time.

2. The interim order passed by the learned Single Judge, as against which the writ appeal has been filed, is said to have been implemented. As such, the writ appeal becomes infructuous and accordingly, it is dismissed. No costs. The connected miscellaneous petition is also dismissed.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

ssk.

To:

- 1 The Government of Tamil Nadu
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5 The Correspondent
Anilady Gingee Taluk Periyathachur (Via)
Villupuram District-605 651.

+1 CC to Govt. Pleader sr 65848.

W.A.No.1975 of 2018

VSNI (CO)
SP(01/11/2018)



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