

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2018

CORAM

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

W.A.No.1977 of 2018 and C.M.P.No.15754 of 2018

- 1.The Secretary to Government,
School Education Department,
Secretariat, Chennai-600 009.
- 2.The Director of Elementary Education,
Chennai-600 006.
- 3.The District Elementary Educational Officer,
Ariyalur.
- 4.The Additional Assistant Elementary Educational Officer,
Jayankondam, Ariyalur District. Appellants

-vs-

A.Muniammal ... Respondent

Appeal filed under Clause 15 of the Letters Patent, against the order passed by this Court in W.P.No.22734 of 2013 dated 20.08.2013.

Prayer in W.P.No.22734 of 2013:

Calling for the records relating to the impugned proceedings issued by the 2nd respondent herein in Na.Ka. No.12118/D1/2011 dated 13.9.2011 and quash Para 22 to the said impugned proceedings in so far as the petitioner is concerned and to issue consequential directions to the respondents herein promoting the petitioner as Middle School Headmistress from the year 2011 on par with her juniors and to award all service and monetary benefits including seniority.

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

JUDGMENT

(Delivered by HULUVADI G.RAMESH, J.)

The respondent herein filed a writ petition before this Court in W.P.No.22734 of 2013 to call for the proceedings of the second appellant, viz. the Director of Elementary Education, Chennai, dated 13.09.2011 and quash Paragraph-22 of the said proceedings in so far as the respondent herein is concerned and to issue a consequential direction to the appellants to promote the respondent as Middle School Headmistress from the year 2011 on par with her juniors and to award all service and monetary benefits including seniority to the respondent. The learned single Judge, by relying upon the earlier orders of this Court, allowed the writ petition on 20.08.2013, granting relief to the respondent herein. Aggrieved over the same, the State has filed this appeal and it has been listed today for admission.

2. When this appeal was taken up for consideration, the learned Special Government Pleader appearing for the appellants / State has submitted that subsequently the Government has passed an order in G.O.(Ms.) No.165, School Education Department, dated 15.10.2014, in which it is stated that after passing 10th Standard Examination (S.S.L.C.), undergoing Diploma in Teacher Training is equivalent to +2 qualification (Higher Secondary School Examination). He has also produced a copy of the said Government Order.

3. In view of the Government Order passed in G.O.Ms.No.165, School Education Department, dated 15.10.2014, the appeal filed by the State is not maintainable. Hence, while upholding the impugned order passed by the learned Single Judge in the writ petition, the writ appeal stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

KM

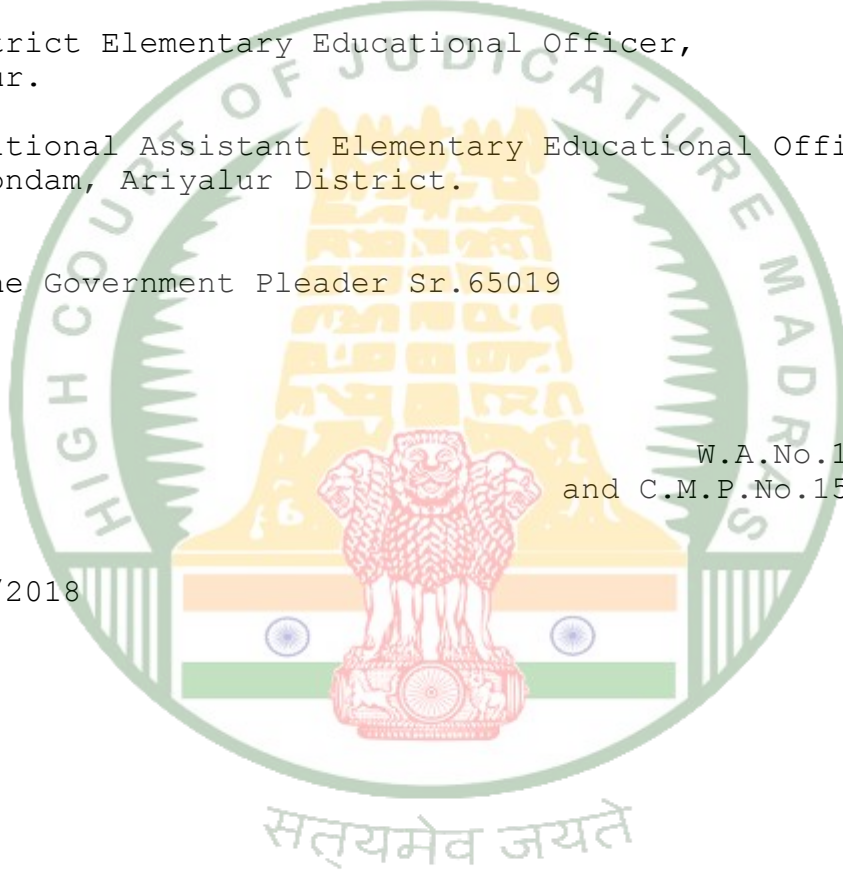
To

- 1.The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Secretariat, Chennai-600 009.
- 2.The Director of Elementary Education,
Chennai-600 006.
- 3.The District Elementary Educational Officer,
Ariyalur.
- 4.The Additional Assistant Elementary Educational Officer,
Jayankondam, Ariyalur District.

+1cc to the Government Pleader Sr.65019

W.A.No.1977 of 2018
and C.M.P.No.15754 of 2018

srg 23/10/2018



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