

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.04.2018

CORAM:
THE HONOURABLE Dr. JUSTICE S.VIMALA

W.P.No.4557 of 2003
and W.P.M.P.Nos.5775 & 5776 of 2003

A.Melbin Jaya

... Petitioner

versus

1. Director of Elementary Education,
Chennai - 6

2. District Elementary Educational Officer,
Tirunelveli - 1

3. Assistant Elementary Educational Officer,
Nanguneri,
Tirunelveli District.

4. Parish Priest & Correspondent,
St. Mary's Primary School,
Group of R.C.Schools,
Mannarpuram, Nanguneri Taluk,
Tirunelveli District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of certiorari, to call for the records pertaining to the order passed by the 2nd respondent in his proceedings Na.Ka.No.7356/A4/2002, dated 30.12.2002 and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr. P.Ganesan, for, M/s. S.Mani

For R1 to R3 : Mr. K.Karthikeyan.

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O R D E R

By the order dated 30.12.2002, the petitioner, who is a Teacher, redeployed and that it is claimed by the petitioner that the petitioner has been declared surplus instead of one Daisy Norbet.

2. It is contended that under the provisions of the Tamil Nadu Private Schools Regulation Act, whenever the post become surplus, under Section 26, it is only the Government which is competent to pass the order and therefore, the impugned order

passed by the second respondent has to be set-aside.

3. Having regard to efflux of time, it is not known whether the dispute survives or not. It is pending for a long time without any progress. Under the circumstances, the writ petition is closed, with liberty to the petitioner to open the same, if at all anything survives as on now. No costs. Consequently, the connected WMPs are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ogy / srk

To

1. Director of Elementary Education,
Chennai - 6
2. District Elementary Educational Officer,
Tirunelveli - 1
3. Assistant Elementary Educational Officer,
Nanguneri,
Tirunelveli District.

+1cc to the Government Pleader, S.R.No.29186

W.P.No.4557 of 2003
and W.P.M.P.Nos.5775 & 5776 of 2003

KJI (CO)

rrs 11/02/2019

सत्यमेव जयते

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