

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2018

CORAM :

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. Nos.14922 and 14923 of 2018

and

WMP.Nos.17640, 17642, 17643 and 17644 of 2018

WP No.14922 of 2018

N.Premkumar

...Petitioner

..Vs..

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
DPI Campus, College Education,
Chennai 600 006.
3. The Joint Director of School Education (Personnel),
Directorate of School education,
DPI Campus, College Road,
Chennai 600 006.
4. The Chief Educational Officer,
Thiruvallur District,
Thiruvallur

.. Respondents

WP No.14923 of 2018

P.Venkatapathi

...Petitioner

..Vs..

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Director of School Education,
DPI Campus, College Education,
Chennai 600 006.

3. The Chief Educational Officer,
Kanchipuram District,
Kanchipuram.

.. Respondents

PRAYER in W.P.No.14922 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the 3rd respondent in Na.Ka.No.055838 /C3/E1 dated 11.06.2018 and to quash the same and consequently, directing the respondents to conduct counselling for redeployment of surplus teachers after completion of admission of students for the academic year 2018 and 2019 in the manner known to law.

PRAYER in W.P.No.14923 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the 2nd respondent in Na.Ka.No.055838 /C3/E1 dated 16.04.2018 and to quash the same and consequently, directing

the respondents to conduct counselling for redeployment of surplus teachers following the norms and standards as prescribed under the Right of children to free and compulsory Education Act, 2009 and the relevant Government Orders and as per the norms fixed under Sarva Shiksha Abiyan and Rashtriya Madhyamik Shiksha Abiyan schemes, without any deviation and in the manner known to law.

For Petitioner

in W.P.'s

: Mr.G.Sankaran

For Respondents

: Mrs.P.Kavitha

in W.P.'s

Government Advocate

COMMON ORDER

The Petitioners have filed these Writ Petitions challenging the impugned proceedings issued by the 3rd respondent in Na.Ka.No.055838 /C3/E1 dated 11.06.2018 (in WP No.14922 of 2018) and 2nd respondent in Na.Ka.No.055838 /C3/E1 dated 16.04.2018 and consequently direct the respondents to conduct counselling for redeployment of surplus teachers after completion of admission of students for the academic year 2018 and 2019.

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2. The grievance expressed by the petitioners is that though they have been called to counselling on account of deployment of surplus teacher, the same is illegal, inasmuch as, the persons who are junior to

them are in the said institution required to be deployed as surplus teachers and as such, seeks for a direction to the respondents to quash the counselling in respect of the petitioners.

3. In response to the same, the learned counsel appearing for the respondents in both Writ petitions would submit that the petitioners are not going to be redeployed in the present counselling, in such view of the matter, she submits that no cause of action is there to entertain this writ petition.

4. In such view of the submissions made by the learned counsel for the respondents, there being no cause of action arose for consideration in these writ petitions, the same are dropped. However, in the event of any decision contrary to the stand of the respondents, the petitioner can very well approach this Court in an appropriate manner. Consequently, connected miscellaneous petitions are closed. No costs.

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Index : Yes/No
Internet : Yes /No
Speaking/Non -Speaking

To

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SATRUGHANA PUJAHARI.,J
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W.P. Nos.14922 and 14923 of 2018

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