

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2018

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.22700 of 2008

and

W.M.P.No.1 of 2008

N.Baby Saroja
Headmastress,
Panchayat Union Primary School,
Chinnambedu Pettai,
Via.Kavarapettai, Cholavaram Union,
Thiruvallur District.Petitioner

.Vs.

1. The Director of Elementary Education,
Government of Tamil Nadu,
D.P.I. Campus, College Road,
Chennai-6.
2. The District Elementary Educational
Officer,
Tiruvallur, Tiruvallur Town.
3. Asst. Elementary Educational Officer,
Cholavaram,
Cholavaram Post, Tiruvallur District.
4. Kalyani ...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent dated 11.07.2008 vide impugned proceedings Na.Ka.No.3825/A5/2007 signed on 15.07.2008 and to quash the same as null and void and against the principles of natural justice and consequently directing the 2nd respondent herein to issue appropriate order for filling up the vacancy and placement for the petitioner to Arani South Panchayat Union Primary School, Cholavaram Union, Tiruvallur District in strict compliance with the G.O.Ms.No.103 dated 07.05.2007 by way of privileged right.

For Petitioner : Mr.G.Thangavel
For Respondents 1 to 3 : Mr. K.Karthikeyan,
Government Advocate (Education)
For Respondents 4 : Mr. R.Munusamy

ORDER

The petitioner prays to issue a Writ of Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent dated 11.07.2008 vide impugned proceedings Na.Ka.No.3825/A5/2007 signed on 15.07.2008 and to quash the same as null and void and against the principles of natural justice and consequently directing the 2nd respondent herein to issue appropriate order for filling up the vacancy and placement for the petitioner to Arani South Panchayat Union Primary School, Cholavaram Union, Tiruvallur District in strict compliance with the G.O.Ms.No.103 dated 07.05.2007 by way of privileged right.

2. The petitioner was appointed as an Assistant Teacher in the Melapattu, Panchayat Union Primary School and he has received the promotions consequently upto the level of Headmistress.

3. It is the further contention of the petitioner that she has participated in the counseling on 21.07.2007 and in the counseling she preferred transfer to Arani South Panchayat Union Primary School of Cholavaram Block and the same was accepted. After that, she was intimated that 4th respondent, who is junior most to the petitioner, was given placement to the school opted by the petitioner herein. Hence, the petitioner filed writ petition No. 2794 of 2008 and this Court has passed an order dated 22.02.2008 wherein, it was directed that the respondents 1 to 3 shall pass orders in accordance with the Government Rules. Based on the said order, the petitioner was issued with proceedings Na.Ka.3825/A5/2007 by the respondents and it was stated that the petitioner's request cannot be carried at this point of time but, it will considered in future. Accordingly, the petitioner filed the contempt petition No.571 of 2008 stating that the Court order has not been implemented by the respondents.

4. When the matter is listed today, the learned counsel for the petitioner made a submission that the matter has become Infructuous.

5. In view of the above statement made by the learned counsel for the petitioner, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected Miscellaneous Petitions is closed.

Sd/-
Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

smn

To.

1. The Director of Elementary Education,
Government of Tamil Nadu,
D.P.I. Campus, College Road,
Chennai-6.
2. The District Elementary Educational
Officer,
Tiruvallur, Tiruvallur Town.
3. Asst. Elementary Educational Officer,
Cholavaram,
Cholavaram Post, Tiruvallur District.

+1cc to Mr.R.Munuswamy, Advocate SR.No.40345
+1cc to Government Pleader SR.No.40900

सत्यमेव जयते

W.P. No.22700 of 2008
and
W.M.P.No.1 of 2008

GN(25/07/2018)

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