

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2018

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.14341 of 2008

and

M.P.No.3 of 2008

V.Meganathan

...Petitioner

.Vs.

1. The State of Tamil Nadu
rep by its Secretary to Govt.,
Education Department,
Fort St. George., Chennai - 9.
2. The Director,
Tamil Nadu Elementary School
Directorate, College Road.,
Chennai - 600 006.
3. Teacher Recruitment Board.,
7th Floor, E.V.K. Sampath Malligai
College Road, Chennai 600 006.
4. The District Elementary
Educational Officer.,
The District Elementary Education office.,
Fort. Vellore, Vellore District.
5. D.Sheela Gnanaraj ...Respondents

(R5 impleaded as per the order of the Court dated 20.11.2008 made in M.P.No. 4 of 2008)

Prayer: The writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the proceedings in Na.Ka. No.16170/D3/2007 dated 11.06.2007 issued by the 2nd respondent and quash the same and consequently direct the respondents to retain the state wide seniority of the Secondary Grade Teachers in Panchayat Union Elementary Schools fixed by the Teachers Recruitment Board prior to the proceedings dated 11.06.2007 issued by the second respondent for preparing the panel of eligible candidate for promotion as Head masters in the panchayat union Elementary Schools and promote the petitioners

as Head Master in the Panchayat Union Elementary Schools based on the said panel and pass orders.

For Petitioner : Mr.A.Arul Raj
For Respondents 1-4 : Mr.K.Karthekeiyan
(Government Advocate)
For Respondent 5 : Mr.V.Raghavachari

ORDER

The petitioner prays to issue a Writ of Certiorari and Mandamus, calling for the records of the proceedings in Na.Ka. No.16170/D3/2007 dated 11.06.2007 issued by the 2nd respondent and quash the same and consequently direct the respondents to retain the state wide seniority of the Secondary Grade Teachers in Panchayat Union Elementary Schools fixed by the Teachers Recruitment Board prior to the proceedings dated 11.06.2007 issued by the second respondent for preparing the panel of eligible candidate for promotion as Head masters in the panchayat union Elementary Schools and promote the petitioners as Head masters in the panchayat union Elementary Schools and promote the petitioners as Head Master in the Panchayat Union Elementary Schools based on the said panel and pass orders.

2. The petitioner was appointed as Secondary Grade Teacher in the year 1995 and he had worked in various panchayat Union Elementary Schools in the State of Tamil Nadu. It is the contention of the petitioner that as per G.O.Ms.No., 388 dated 17.06.1996, issued by the first respondent, teachers are entitled to seek transfer from one Panchayat union school to another Panchayat union school in the state of Tamil Nadu, and on such transfer the seniority shall not get affected.

3. It is the further contention of the petitioner that the 2nd respondent by its proceedings in Na.Ka.No.16170/D3/2007 dated 11.06.2007 held that teachers who have sought transfer from one union to another union in their native district cannot retain their seniority. The petitioner's promotional aspects get disturbed due to the proceedings in Na.Ka.No.16170/D3/2007 dated 11.06.2007. Hence the petitioner has approached this Court by way of filing this writ petition.

4. When the matter is listed today, the learned counsel for the petitioner made a submission that the matter has become infructuous and he has also made an endorsement to that effect.

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

Sd/-
Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

smn

To.

1. The State of Tamil Nadu
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Fort St. George., Chennai - 9.
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7th Floor, E.V.K. Sampath Malligai
College Road, Chennai 600 006.
4. The District Elementary Educational Officer.,
The District Elementary Education office.,
Fort. Vellore, Vellore District.

+1cc to Mr.V.Raghavachari, Advocate SR.No.37179

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VGII(CO)
GN(17/07/2018)

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