

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.607 of 2016
and C.M.P.No.8072 of 2016

1. The District Elementary Educational Officer,
Villupuram District, Villupuram.
2. The Assistant Elementary Educational Officer,
Ulundurpet, Villupuram District. Appellants

-vs-

Aided Primary School,
Kattu Edayarpalayam, Ulundurpet Union,
Villupuram District,
rep. By its Manager,
D.Jegadambigai Respondent

PRAYER:

Writ Appeal filed under Clause 15 of Letters Patent against the order passed in M.P.No.1 of 2015 in W.P No.15586 of 2015 dated 03.06.2015. to grant interim stay for the records relating to the proceedings of the 1st respondent issued in O.Mu.No.9644/Aa4/2012 dated 01.04.2015 and to quash the same consequently direct the respondents to approve to appointment of the Second Grade Teacher Tmt.T.Akila, Second Grade Teacher in the petitioner school with effect from 23.04.2012 on temporary basis and to release salary to the Teacher from the date of appointment and to continue to pay the same pending disposal of the above.

W.P No.15586 of 2015:-

Writ of Certiorarified Mandamus order of the appropriate writ order of direction in the nature of Writ of call for the records relating to the proceedings of the 1st respondent issued in O.Mu.No.9644/ Aa4/2012 dated 1.4.2015 and to quash the same and consequently direct the respondent to approve the appointment of the Secondary Grade Teacher T.Akila in the Petitioner School with effect from 23.4.2012 with all consequential and other benefits including arrears of salary ith

interest within a time frame to be fixed by this Honourable Court.

For Appellants : Mr.K.Karthikeyan, G.A.
For Respondent : Mr.S.Nedunchezhiyan

J U D G M E N T
[Judgment of the Court was delivered by
K.K. SASIDHARAN, J.]

The learned single Judge by way of an interim order directed the appellants to give temporary approval for the appointment of Tmt.T.Akila, who is an employee of the respondent institution. The order is under challenge at the instance of the Education Department.

2. The learned Government Advocate on instruction submitted that during the currency of the appeal, the appellants have complied with the order dated 03.06.2015 in M.P.No.1 of 2015 in W.P.No.15586 of 2015. According to the learned Government Advocate the Government has extended the time till 31.03.2019 for qualifying the Teachers Eligibility Test examination.

3. The learned counsel for the respondent on instruction submitted that the Writ Petition itself was allowed by a Division Bench along with the connected Writ Appeals by judgement dated 24.01.2017 in W.A.Nos.1126 of 2015 etc. Batch (The State of Tamil Nadu and others V. The Director of Elementary Education and others).

4. Since the order impugned in this intra Court appeal has already been implemented by the Government, we are of the view that nothing survives for adjudication in this appeal at this point of time.

5. Accordingly, the intra Court appeal is dismissed as infructuous. No costs. Consequently, the connected miscellaenous petition is also dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sl

To

+1cc to the Government Pleader, S.R.No.32859

W.A.No.607 of 2016
and C.M.P.No.8072 of 2016

kan (co)
cs/08/06/18



WEB COPY