



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2018

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CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.14621 of 2018

and

W.M.P. (MD) Nos.13170 and 13171 of 2018

G.Alwin

... Petitioner

Vs.

1. T.Kamaraj,
Secretary and Correspondent,
St. John's College of Education,
18/19 A, North High Ground Road,
Palayamkottai - 627 002.

2. The Principal,
St. John's College of Education,
Palayamkottai - 627 002.

3. The Tamilnadu Teacher Education University,
rep. by its Registrar,
Gangaiamman Kovil Street,
Tharappakkam, Chennai - 600 097.

... Respondents

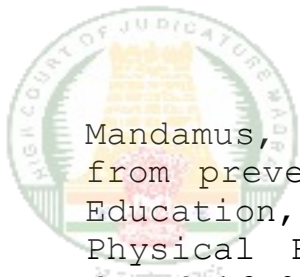
Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the first and 2nd respondents and their agents from preventing the petitioner in attending St.John's College of Education, Palayamkottai in carrying out their duty as Director of Physical Education in pursuant to the petitioner's appointment dated 16.08.2011.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.T.R.Jeyapalam, for RR1 and 2
Mrs.S.Srimathy, Spl.G.P for R3

O R D E R

The prayer sought for in this writ petition is for a Writ of



Mandamus, forbearing the first and 2nd respondents and their agents from preventing the petitioner in attending St.John's College of Education, Palayamkottai in carrying out his duty as Director of Physical Education in pursuant to the petitioner's appointment dated 16.08.2011.

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2.Heard Mr.G.Prabhu Rajadurai, learned counsel appearing for the petitioner and Mr.T.Jeyapalam, learned standing counsel appearing for the respondents 1 and 2 and Mrs.S.Srimathy, learned Special Government Pleader appearing for the third respondent.

3.The learned counsel appearing for the petitioner would submit that, the petitioner was appointed as Physical Education Director at the second respondent college by order of appointment dated 16.08.2011. From the date of appointment, the petitioner had been continuously working in that college. However, all of a sudden, the second respondent college refused to permit the petitioner to discharge his duty and in fact, he was prevented from entering into the college premises. Therefore, the petitioner filed the present writ petition with the aforesaid prayer.

4.At the admission stage, Mr.T.Jeyapalam, learned standing counsel appearing for the first and second respondents accepted notice and on instructions, he has submitted that the petitioner, by order dated 02.07.2018, has been transferred from the second respondent college to one CSI Jayaraj Annapackiam Arts and Science college, Nallur, which is also under the same management of the second respondent. He would further submit that even though on 02.07.2018, the order of transfer has been given to the petitioner and the same has been served on him, the petitioner has refused to receive the same and in this regard, he has produced a photocopy of the extract of the tapal register.

5.However, the learned counsel appearing for the petitioner would submit that, so far, the petitioner has not been served any such order of transfer as has been produced now. At any rate, since the original transfer order has now been produced by the learned counsel appearing for the respondents 1 and 2 to the learned counsel appearing for the petitioner, the learned counsel appearing for the petitioner would submit that in view of this order, he would workout his remedy in the manner known to law.

6.In view of the said subsequent development, since the petitioner has been transferred by order dated 02.07.2018 from the second respondent college, the prayer sought for herein has become infructuous. Hence, by recording the said order dated 02.07.2018, by which the petitioner had been transferred by the second respondent college as has been served on the learned counsel for the petitioner, this petition is dismissed as infructuous. No



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costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

The Registrar,
Tamilnadu Teacher Education University,
Gangaiamman Kovil Street,
Tharappakkam, Chennai - 600 097

+ 1 CC TO Mr.G.PRABHU RAJADURAI, ADVOCATE IN SR No. 72078
+ 1 CC TO Mr.T.R.JEYAPALAM, ADVOCATE IN SR No. 71812
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 71939

ARUL

TE/PM/SAR-4 : 29/10/2018 : 3P/5C

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