



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2018

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P. (MD) No.65 of 2015
and
M.P. (MD) No.1 of 2015

K.Gopalakrishnan

... Petitioner

vs.

1. The Director Elementary Educational Officer,
Tirunelveli.
2. The Assistant Elementary Educational Officer,
Kalakad, Tirunelveli District.
3. The Hindu Middle School,
Thirukkurungudi, Tirunelveli.

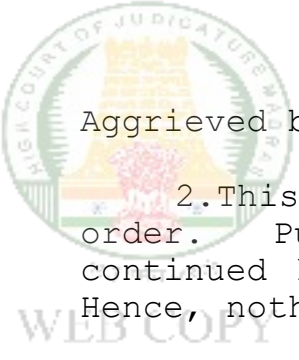
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorified Mandamus, to call for records of the impugned order of second respondent in A.ThiMu.906/A1/14 dated 01.12.2014 and the consequential order in A.Thi.Mu.1033/A1/14 dated 29.12.2014 and quash the same and consequently direct the respondents 1 and 2 to approve the re-employment of petitioner from 01.01.2015 to 31.05.2015 i.e. till the end of academic year and pay all petitioner's service and monetary.

For Petitioner	:	Mr.H.Arumugam
For R-1 and R-2	:	Mr.S.Srimathy, Special Government Pleader.
For R-3	:	No appearance

O R D E R

The writ petitioner being a Teacher in the third respondent's school. He has attained the age of superannuation on 31.12.2014, which is in the middle of the academic year. So, citing G.O.Ms.No.1643, Education (U2) Department where the teaching staff retired mid of the academic years should be re-employed to the end of the academic year, in order to provide teaching assistance to the student and to avoid the vacancy which may affect their education, the writ petitioner herein has sought for re-employment till the end of the academic year, which was denied.



Aggrieved by that, the writ petition has been filed.

2.This Court at the time of admission has passed an interim order. Pursuant to the interim order, the writ petitioner has continued his service till the end of the academic year 2014-15. Hence, nothing survives at present.

3.Accordingly, this writ petition is disposed of. The issue regarding surplus of staff has to be dealt with independently. The third respondent management can workout the remedy in this regard independently de hors of the order passed by this Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-IV)

To:

1. The Director Elementary Educational Officer,
Tirunelveli.
2. The Assistant Elementary Educational Officer,
Kalakad, Tirunelveli District.
3. The Hindu Middle School,
Thirukkurungudi, Tirunelveli.

+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 94821
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 94764

CP
TE/SKN/SAR-4 : 10/12/2018 : 2P/6C

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