



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2018

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WEB COPY

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P (MD) No.1321 of 2013

G.Pepsilin

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. By its Secretary,
Department of School Education,
Fort St., George, Chennai-600 009.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai-600 006.

3.The District Elementary Educational officer,
Sivagangai, Sivagangai District.

4.The Assistant Elementary Educational officer,
S.Pudur Range, Sivagangai District.

5.The Headmaster,
Panchayat Union Middle School,
Nagamangalam,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to permit the petitioner to continue in service as secondary Grade Teacher in the 5th respondent School by accepting petitioner's resignation withdrawal letter dated 24.11.2012.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.M.Muthu,

Additional Government Pleader

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to permit the petitioner to continue in service as Secondary Grade Teacher in the 5th respondent School by accepting the petitioner's resignation, withdrawal letter, dated 24.11.2012.



2.The writ petitioner was appointed as Secondary Grade Teacher in the fifth respondent School and joined duty on 16.07.2009. On account of certain personal reasons, the writ petitioner submitted a resignation on 11.12.2010 initially, and the same was withdrawn within a statutory period stipulated under the Rules. Once again, the writ petitioner had submitted her resignation letter on 08.03.2011 to the competent authorities. The resignation letter submitted was accepted and the withdrawal of resignation was submitted by the writ petitioner after a lapse of 1 ½ years on 24.11.2012. As per the Rules, the resignation submitted shall be withdrawn within a period of three months and after three months, the resignation is deemed to have been accepted and therefore, the withdrawal letter submitted by the writ petitioner on 24.11.2012 after a lapse of 1 ½ years cannot be considered.

3.In view of these factual circumstances, no further adjudication is required and accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary,
Department of School Education,
Fort St., George, Chennai-600 009.
- 2.The Director of Elementary Education,
DPI Complex,College Road,
Chennai-600 006.
- 3.The District Elementary Educational officer,
Sivagangai, Sivagangai District.
- 4.The Assistant Elementary Educational officer,
S.Pudur Range, Sivagangai District.
- 5.The Headmaster,
Panchayat Union Middle School,
Nagamangalam,
Sivagangai District.

+One cc to Mr.E.V.N.Siva, Advocate, SR.No.49862

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RL/7C/2P/KK/SAR1/27/2/2018

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