

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2019

CORAM :

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

W.P. Nos.10238 to 10240 of 2004
and

W.P.M.P. Nos.11948, 11950 & 11952 of 2004

L.Padmavathi ... Petitioner
in W.P.No.10238 of 2004

L.Padma ... Petitioner
in W.P.No.10239 of 2004

S.Selvi ... Petitioner
in W.P.No.10240 of 2004

Vs.

1.The Additional Assistant Elementary
Educational Officer,
Kunoor.

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

3.The Secretary,
Nilgiris Langayat Primary School,
Katary Village,
The Nilgiris.

... Respondents
in W.P.No.10238 of 2004

1.The Additional Assistant Elementary
Educational Officer, Kunoor.

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

3.The Secretary,
Nilgiris Lingayat Primary School,
Katary,
Nilgiris District.

... Respondents
in W.P.No.10239 of 2004

1.The Additional Assistant Elementary
Educational Officer,
Kunoor.

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

3.The Secretary,
Nilgiris Lingayat Primary School,
Palada,
Nilgiris District.

... Respondents
in W.P.No.10240 of 2004

Common Prayer : Writ Petitions filed under Article 226 of the
Constitution of India for issuance of Writs of Certiorari,
calling for the records relating to the order of the 1st
respondent dated 09.02.2004 issued in Na.Ka.No.74 A2/2003 and to
quash the same as far as the petitioners are concerned.

For Petitioner : Mr.R.Muthukannu
in all writ petitions

For Respondents : Mr.A.Raja Perumal
Additional Government Pleader
in all writ petitions

C O M M O N O R D E R

The petitioners have filed the writ petitions to issue writs
of certiorari to call for the records relating to the order of
the 1st respondent dated 09.02.2004 and to quash the same. By
order dated 09.02.2004, the teachers, who were deployed and in
whose favour interim orders were granted, should not be paid
salary and the salary already paid should be recovered from
them.

2.Today, when the writ petitions were taken up for hearing,
Mr.A.Raja Perumal, learned Additional Government Pleader,
appearing for the respondents submitted that the petitioners are
still working in the very same schools and that no deduction has
been made in their salaries and their salary has not been
stopped till this date. Further, the learned Additional
Government Pleader submitted that, till today, the petitioners
are receiving their salaries. Therefore, the writ petitions

have become infructuous. Further, the learned Additional Government Pleader submitted that the petitioners have sent letters to the Block Education Officer, for withdrawing the writ petitions. However, the learned counsel appearing for the petitioners submitted that he has no instructions for withdrawing the writ petitions.

3.Since the petitioners are receiving the salary and are working in the very same schools, the relief sought for in these writ petitions have become infructuous. Accordingly, these writ petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Additional Assistant Elementary Educational Officer,
Kunoor.
- 2.The Director of Elementary Education,
College Road,
Chennai - 600 006.
- 3.The Secretary,
Nilgiris Lingayat Primary School,
Katary Village,
The Nilgiris.

- 4.The Secretary,
Nilgiris Lingayat Primary School,
Palada,
Nilgiris District.

+3 cc to M/s.R.Muthukkannu, Advocate Sr.Nos. 92341 to 92343
+1 cc to The Government Pleader Sr.No. 93073

AKM/03.12.19/3P-9C /

W.P. Nos.10238 to 10240 of 2004