

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5688 of 2019

R.Bakthavatchalam

B.T.Assistant (Science)

Smt Valliammal Rajabathar Middle School
Nungambakkam

Chennai - 600 034

.. Petitioner

Vs.

1. The District Educational Officer
Chennai (South)
Egmore, Chennai 600 008

2. The Block Educational Officer,
T.Nagar, Range-II,
DPI Campus, College Road,
Chennai-6.

3. Smt Valliammal Rajabathar Middle School
Represented by its Secretary
Nungambakkam, Chennai - 600 034

.. Respondents

PRAYER:

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents herein to consider the application of the Petitioner seeking for re-employment till the end of the Academic Year from 1.3.2019 till 31.05.2019 as B.T.Assistant (Science) in the third respondent school by granting approval for the same within a time frame to be fixed by this Court.

For Petitioners

: M/s.Dakshayani Reddy

For Respondents

: Mr.A.Rajaperumal
Additional Government Pleader

O R D E R

The grievances of the writ petitioner is that the claim of the writ petitioner to serve till the end of the Academic year has not been considered. The representations submitted by the writ petitioner, in this regard is kept pending.

2. The Government passed an order stating that persons who all are retiring during the middle of the academic year may be permitted to continue in service till the end of the academic year, in the interest of the students and their education.

3. However, the extension of service / retirement can be provided subject to certain terms and conditions. Thus, the retirement can never be claimed, as a matter of right. However, the authorities competent has to consider the service records of the writ petitioner and take decision and pass orders on merits and in accordance with law. Thus, without going in to the merits of the matter, the 1st respondent is directed to consider the representation submitted by the writ petitioner on 26.11.2018 and 08.01.2019, and pass orders on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

5. The writ petitioner is directed to enclose copies of the representation and all the relevant Government Orders along with the order, passed in the present writ petition.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Kmm

To

1. The District Educational Officer
Chennai (south)
Egmore, Chennai 600 008
2. The Block Educational Officer,
T.Nagar, Range-II,
DPI Campus, College Road,
Chennai-6.

3. Smt Vallimmal Rajabathar Middle School
Represented by its Secretary
Nungambakkam
Chennai - 600 034

+1cc to M/s.Dakshayani Reddy, Advocate, S.R.No.18505

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GP(CO)
CS/15/03/2019



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