

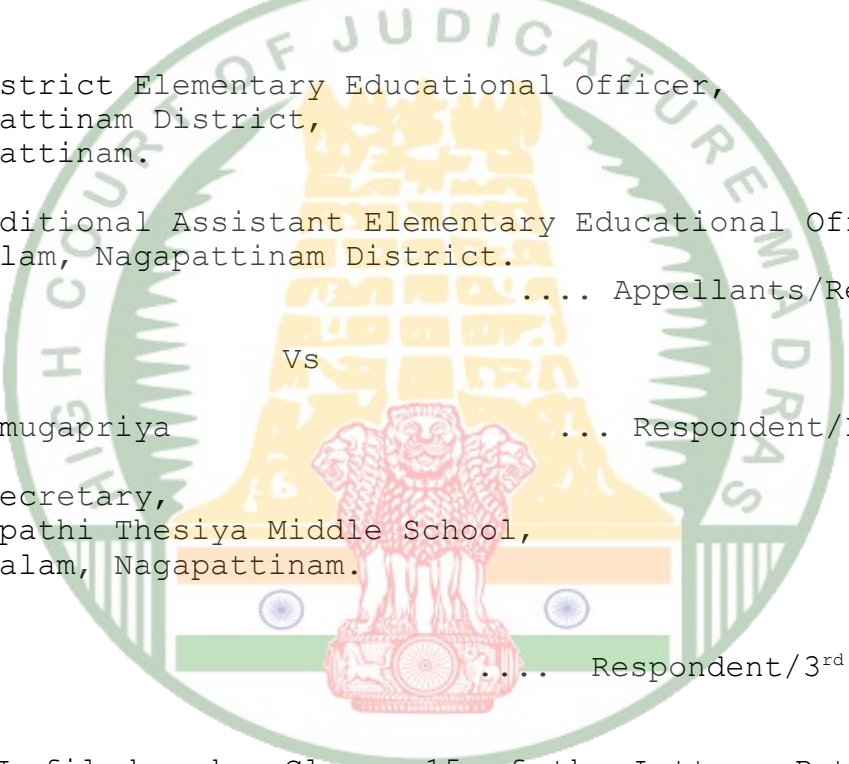
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORUM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal No.2239 of 2019
and
C.M.P.No.14866 of 2019

- 
1. The District Elementary Educational Officer,
Nagapattinam District,
Nagapattinam.
2. The Additional Assistant Elementary Educational Officer,
Kuthalam, Nagapattinam District. Appellants/Respondents
- Vs
1. S.Shanmugapriya ... Respondent/Petitioner
- 2 The Secretary,
Ganapathi Thesiya Middle School,
Kuthalam, Nagapattinam. Respondent/3rd respondent

APPEAL filed under Clause 15 of the Letters Patent to set aside the order dated 29.01.2019 made in W.P.No.28058 of 2017.

WP.NO.28058/2017:

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Proceedings issued by the 1st respondent in Na.Ka.No.2615/A2/2016 dated 01.08.2017 and to quash the same and consequently, directing the respondents 1 and 2 to approve the appointment of the petitioner in the post of B.T. Assistant (Maths) in 3rd respondent School w.e.f. 30.5.2011 with all consequential benefits including payment of arrears of salary.

For Appellants : Mr.K.Karthikeyan
Government Advocate

For Respondents: Mr.S.Nedunchezhiyan

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

The learned single Judge directed the appellants to approve the appointment of the first respondent. The order is under challenge at the instance of the State.

2. When the appeal is taken up for admission, the learned Government Advocate appearing on behalf of the appellants and the learned counsel appearing for the first respondent, who is on caveat, jointly submitted that the order has already been complied with. In fact, a copy of the order dated 04.07.2019 is also produced before us to substantiate the contention that nothing further survives for adjudication in this appeal.

3. The intra Court Appeal is dismissed as infructuous taking into account the subsequent order dated 04.07.2019 regularising the services of the first respondent. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sl

TO:

1. The District Elementary Educational Officer,
Nagapattinam District,
Nagapattinam.
2. The Additional Assistant Elementary Educational Officer,
Kuthalam, Nagapattinam District.

+1cc to Mr.G.Sankaran, Advocate sr.61393
+1cc to Government Pleader sr.61979

Writ Appeal No.2239 of 2019
and C.M.P.No.14866 of 2019

pvs(co)
nr 17/09/2019