

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2019

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.4249 of 2019

D.Vedarathinam

.. Appellant

vs.

1. Director of Elementary Education,
Chennai-6.
2. District Elementary Educational Officer,
Cuddalore-1, Cuddalore District,
Now District Educational Officer,
Chidambaram, Cuddalore District.
3. Assistant Elementary Educational Officer,
Parangipettai, Cuddalore District,
Now Block Educational Officer,
Parangipettai, Cuddalore District.
4. V.Pasupathy

.. Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 18.02.2019 passed in W.P.No.19956 of 2004 on the file of this Court.

W.P.No.19956 of 2004:-

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus or any other appropriate Writ, direction or order the nature of a Writ calling for records pertaining to the order passed by the 2nd Respondent in his proceedings Na.Ka.No.731/A4/2004 dated 11.06.2004 and quash the same in so far as the 4th Respondent is concerned and direct the respondents to prepare panel after preparing due seniority list in various categories in parangipettai panchayat union.

For Appellant : Mr.P.Ganesan
for M/s.C.S.Associates

For Respondents : Mr.C.Munusamy
Spl. Govt. Pleader (Edn.)
for respondent Nos.1 to 3

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

The grievance of the appellant is that the learned Single Judge has not entertained the writ petition and otherwise also moving of representation before the authorities would be a futile exercise, inasmuch as there is only one post available. This cannot be a ground of challenge, inasmuch as if the representation of the appellant is considered favourably, the authorities would have acted in accordance with law. Therefore, the apprehension of learned counsel for the appellant is misplaced.

2. The appeal is consigned to records with liberty to the appellant to approach the concerned authority as directed by the learned Single Judge. In the event, such representation is filed within a period of six weeks from today, the same shall be disposed of within a period of three months thereafter upon putting to notice any affected party or consider the feasibility of the applicability of law as existing today. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To:

1. The Director of Elementary Education,
Chennai-6.
2. The District Elementary Educational Officer,
Cuddalore-1, Cuddalore District,
Now District Educational Officer,
Chidambaram, Cuddalore District.

3. The Assistant Elementary Educational Officer,
Parangipettai, Cuddalore District,
Now Block Educational Officer,
Parangipettai, Cuddalore District.

+1cc to M/s.C.S.Associates, Advocate, S.R.No.102697

W.A.No.4249 of 2019

MP (CO)
CS/10/01/2020



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