

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Fourth day of November Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M.DHANDAPANI

WMP No.31132 of 2019

IN WP.31033/2019

N.NIJI

[PETITIONER]

Vs

1 THE STATE OF TAMIL NADU, [RESPONDENTS]
REP BY ITS SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI 9

2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI 6

3 THE DISTRICT EDUCATIONAL OFFICER,
SATHYAMANGALAM, ERODE, ERODE DISTRICT

4 THE CORRESPONDENT,
R.C.AIDED PRIMARY SCHOOL, DOOR NO.12/201,
DODDAGAJANUR VILLAGE, THALAVADI,
SATHYAMANGALAM TALUK, ERODE DISTRICT 638 461

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of ad interim direction directing the respondents to forthwith pay the salary and other dues with effect from 1.6.2017 and to continue to pay the same, (WMP.31132/2019) pending disposal of the above WP.31033/2019

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.L.CHANDRAKUMAR, Advocate for the petitioner and of MR.C.MUNUSAMY, SPECIAL GOVERNMENT PLEADER on behalf of the 1 to 3 Respondents the court made the following order:-

The petitioner has filed main writ petition, has challenged the proceedings dated 05.12.2018, of the third respondent in and by which, the approval of appointment of the petitioner with effect from 01.06.2017 has been rejected, on the ground of there were surplus of teachers. Pending disposal of the main writ petition, the petitioner moved the present miscellaneous petition, seeking

interim direction to the respondents to pay the same salary and other dues with effect from 01.06.2017 and continue to pay the same.

2. It is pertinent to note that as on date as per the proceedings dated 05.12.2018, the appointment of the petitioner itself has been rejected and hence, such being the case, the petitioner cannot seek salary and other dues. Unless the petitioner comes out successful in the main writ petition, no relief can be granted in at this stage, in this miscellaneous petition. Accordingly, this miscellaneous petition is dismissed.

-sd/-

04/11/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO
GOVERNMENT, STATE OF TAMIL NADU,
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI 9

2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI 6

3 THE DISTRICT EDUCATIONAL OFFICER,
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DODDAGAJANUR VILLAGE, THALAVADI,
SATHYAMANGALAM TALUK, ERODE DISTRICT 638 461

C.C. to MR.L.CHANDRAKUMAR Advocate on payment of necessary charges

Order
in

WMP.31132/2019

in

WP.31033/2019

Date :04/11/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RRI 14/11/2019