

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 33279 of 2018
and WMP.Nos. 38622 and 38623 of 2018

S.Sambath Kumar

... Petitioner

vs

1. The Director of School Education,
DPI Campus, College Road,
Chennai-600006.
2. The Chief Educational Officer,
Presidency Higher Secondary School Campus,
Egmore, Chennai-600008.
3. The District Educational Officer (West)
DPI Campus, College Road,
Chennai-600006.
4. The Judge/Administration,
Tamil Evangelical Lutheran Church,
P.B.No.86, Tranquebar House,
Melaputhur, Tiruchirapalli-620001.
5. The Headmistress,
ELM Fabricius Higher Secondary School,
Purasawalkkam, Chennai-600 007.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus, calling for the records of the 5th respondent pursuant to the order in No. Nil dated 10.08.2018 and quash the same and consequently directing the respondents to allow the petitioner to continue in the 5th respondent school as B.T Assistant (Science) and further direct the respondents to promote the petitioner as P.G Assistant (Zoology) in the existing vacancy in the 5th respondent school.

For Petitioner : Mr.G.Sankaran
For R1 to R3 : Mr.C.Munusamy, Spl.GP(Education)
For R4 : Mr. S. Karthikei Balan.

O R D E R

Writ Petition is filed for issuance of a Writ of Certiorarified mandamus, calling for the records of the 5th respondent pursuant to the order in No. Nil dated 10.08.2018 and quash the same and consequently directing the respondents to allow the petitioner to continue in the 5th respondent school as B.T Assistant (Science) and further direct the respondents to promote the petitioner as P.G Assistant (Zoology) in the existing vacancy in the 5th respondent school.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner was appointed as B.T Assistant (Science) on 09.02.2007 in the 5th respondent school, a Government aided school coming under the corporate Management of TELC and working as such. On 10.08.2018, the 5th respondent issued orders relieving the petitioner in order to attend new Curriculum Animation Training at Anna Centenary Library, Chennai without any time limit. It is further stated that the deployment of surplus teachers can be made only by following seniority and the junior most teacher in the category alone should be subjected to redeployment.

4. The learned counsel for the petitioner submitted that as per the orders dated 10.08.2018, the petitioner had relieved from the 5th respondent school and had attended the new Curriculum Animation Training at Anna Centenary Library, Chennai. After completion of training, the petitioner again joined in the 5th respondent school. Hence nothing survives for adjudication in the present writ petition.

5. In view of the submissions made by the learned counsel for the petitioner, this writ petition is closed. No costs. Consequently, connected Miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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5. The Headmistress,
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Purasawalkkam, Chennai.

+1cc to M/s.G.Sankaran, Advocate Sr.91181
+1cc to the Government Pleader Sr.91505

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srg 29/11/2019