



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2019

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9496 of 2011

A.Balasubramanian

... Petitioner

vs.

1)The Government of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.

2)The Director of School Education,
Chennai-600 006.

3)The Joint Director of School Education(Personnel),
Chennai-600 006.

4)R.K.Kumari Ananda Jothi,
Assistant,
Government Higher Secondary School,
Eraniel,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to his order in AthiMu No.058351/A3 Section/E1/2011 dated 27.07.2011 on his file, quash the same, directing respondents 2 and 3 to regularise the petitioner's appointment as Assistant in their Department of School Education with effect from a date prior to 27.09.1999, which is the date of regularization of the appointment of the 4th respondent as Assistant in the Department and consequently place the petitioner above the 4th respondent in the seniority list of selected candidates for promotion from the post of Assistants to that of Upgraded Superintendents in the said Department as on 15.3.2011.

For Petitioner

: Mr.K.N.Thampi

For R1 to R3

: Mr.N.Shanmuga Selvam

Additional Government Pleader

For R4

: No appearance

ORDER

The prayer in this writ petition is to call for the records of the 2nd respondent pertaining to his order in AthiMu No.058351/A3 Section/E1/2011 dated 27.07.2011 on his file, quash the same and to



direct the respondents 2 and 3 to regularise the petitioner's appointment as Assistant in their Department of School Education with effect from a date prior to 27.09.1999, which is the date of regularization of the appointment of the 4th respondent as Assistant in the Department and consequently place the petitioner above the 4th respondent in the seniority list of selected candidates for promotion from the post of Assistants to that of Upgraded Superintendents in the said Department as on 15.3.2011.

2.Today, when the matter is taken up for hearing, learned counsel for the respondents would state that seniority of the petitioner has been re-fixed and therefore, the relief sought for in this writ petition has been complied with. He has produced the proceedings of the 3rd respondent in Mu.Mu.No.74750/A4Section/E3/2011 dated 22.11.2011 to that effect. Recording the above submission and the copy of the proceedings dated 22.11.2011, this writ petition is closed as no further order is necessary. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1)The Secretary to the Government of Tamilnadu,
Department of School Education,
Fort St.George,
Chennai-600 009.

2)The Director of School Education,
Chennai-600 006.

3)The Joint Director of School Education(Personnel),
Chennai-600 006.

+1 CC to M/s.K.N.THAMBI, Advocate (SR-103405[F] dated 04/12/2019)

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04.12.2019

SMA/18/12/19/2P/5C