



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.05.2019

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

WEB COPY

W.P(MD)No.11988 of 2019

and

W.M.P(MD)No.9038 of 2019

N.Sasikala Rani,
Head Master,
Government Higher Secondary School,
Thiruvaiyaru,
Thanjavur District.

.. Petitioner

Vs.

1.The State of Tamil Nadu rep. by
its Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The Joint Director of School Education (Vocational),
O/o.the Director of School Education,
DPI Complex, College Road,
Chennai - 600 006.

4.The Chief Education Officer,
O/o.Chief Educational Office,
Thanjavur - 1,
Thanjavur District.

5.The District Education Officer,
O/o.the District Education Office,
Thanjavur District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the fifth respondent to issue no objection certificate and cessation certificate to the petitioner in pursuant to the proceedings issued by the petitioner vide his proceedings No.Na.Ka.No.260/2019 dated 02.05.2019 so as to allow the petitioner to retire from service w.e.f. 31.03.2019.



For Petitioner : Mr.M.Mohaboob Athiff
for M/s.Ajmal Associates.
For Respondents : Mrs.S.Srimathy
Special Government Pleader.

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ORDER

This writ petition is filed seeking a writ of Mandamus to direct the fifth respondent to issue no objection certificate and cessation certificate to the petitioner in pursuant to the proceedings issued by the petitioner vide his proceedings in Na.Ka.No.260/2019, dated 02.05.2019, so as to allow her to retire from service w.e.f. 31.03.2019.

2.Mrs.S.Srimathy, learned Special Government Pleader, takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4.The case of the petitioner is that she was appointed as B.T. Assistant on 13.01.1989 and now she is working as Headmaster, Government Girls Higher Secondary School, Thiruvayyaru, Thanjavur District and her retirement date is 31.03.2019 and she was granted re-employment upto 31.05.2019. She gave representation dated 02.05.2019 requesting the fifth respondent to issue no objection certificate. But, the fifth respondent did not issue the same. When she was working as Headmaster of Government Higher Secondary School, Melattur Thanjavur District, on 01.11.2015, 66 laptops and 5 laptop bags were stolen, for which, a police complaint has been given and investigation is under progress and the petitioner will not be held liable for the same. For the said reason, the fifth respondent did not issue the no objection certificate as well as cessation certificate. Therefore, the petitioner is before this Court.

5.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 02.05.2019, is directed to be disposed of by the fifth respondent as per law, for which, the learned Special Government Pleader appearing for the respondents, has no serious objection.

6.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the fifth respondent to consider the representation of the petitioner, dated 02.05.2019 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, before her date of retirement, i.e., 31.05.2019.



7.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Vacation Officer

/ True Copy /

Sub Assistant Registrar (CS-II)

smn/tsg

To

- 1.The Principal Secretary to Government,
School Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
 - 2.The Director of School Education,
DPI Complex, College Road, Chennai - 600 006.
 - 3.The Joint Director of School Education (Vocational),
O/o.the Director of School Education,
DPI Complex, College Road, Chennai - 600 006.
 - 4.The Chief Education Officer,
O/o.Chief Educational Office,
Thanjavur - 1, Thanjavur District.
 - 5.The District Education Officer,
O/o.the District Education Office,
Thanjavur District.
- +1 CC to M/s.SPL GP (SR-66041[F] dated 16/05/2019)

ORDER MADE IN
W.P (MD) No.11988 of 2019
and
W.M.P (MD) No.9038 of 2019

ES/16.05.2019/3P/7C