

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM :

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

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.240 of 2020

- 1.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
 - 2.The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.
 - 3.The District Educational Officer,
Madurantakam Educational District,
Kancheepuram District. ... Appellants
- vs.
- M.Seeman ... Respondent

Appeal filed under Clause 15 of the Letters Patent against the order dated 21.10.2019 passed by the learned Single Judge in W.P.No.29460 of 2019.

WP.No.29460 of 2019: To call for the records relating to the impugned order issued by the 3rd respondent in O. Mu. No. 2992/Aa1/ 2019 dated 13.9.2019 and to quash the same and consequently directing the respondents to allow the petitioner for re employment till the end of the academic year on superannuation on par with other similarly placed B.T. Assistants working in the School Education

For Appellants : Mr.C.Munusamy
Spl. G.P. (Edn.)

For Respondent : Mr.G.Sankaran

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Challenge raised by the appellants is to the judgment of the learned Single Judge, who has issued direction for re-employment of the respondent/writ petitioner in spite of the fact that there are surplus teachers in the Institution.

2. Learned counsel for the respondent/writ petitioner has vehemently disputed this status and he contends that there were four teachers and one of them has gone on maternity leave. According to the requirement of the Institution and the students existing, the continuance of the respondent/writ petitioner will not in any way be contrary to the teacher-student ratio. He, therefore, contends that even after having attained superannuation, the answering respondent is entitled to be re-employed and therefore, the learned Single Judge was justified in issuing the direction.

3. This re-employment or otherwise deployment, in our opinion, is in the larger interest of the students. Consequently, in the interest of the students, we find it appropriate that the Chief Educational Officer, Kancheepuram, shall examine this issue as contended by the respondent/writ petitioner within one week from today assessing as to whether any re-employment or deployment is required or not, keeping in view that the session is likely to end in April, 2020. He shall accordingly pass an order to that effect. The impugned judgment dated 21.10.2019 therefore stands modified to the aforesaid extent.

4. The writ appeal is disposed of with the said direction. No costs. Consequently, C.M.P.No.4008 of 2020 is closed.

Sd/-

Asst.Registrar (CS IV)

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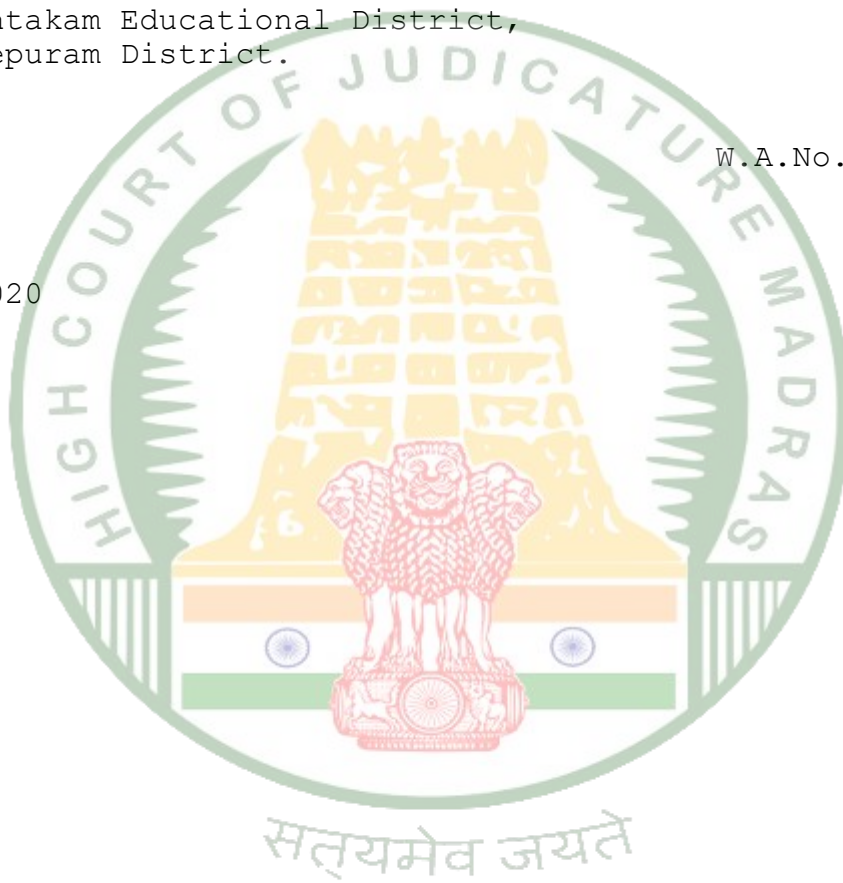
Sub Asst. Registrar

To

- 1.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.
- 2.The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.
- 3.The District Educational Officer,
Madurantakam Educational District,
Kancheepuram District.

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