

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.35568 of 2007

M.Raja

...Petitioner

Versus

1. District Employment Officer,
District Employment Exchange,
Vellore, Vellore District.
2. The Correspondent,
Raja Thirunavukkarasu Mudaliar High School
Kalathur Post,
Ocheri (via),
Vaniyambadi, Vellore District.

...Respondents

PRAYER: Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records pertaining to the impugned order passed by the 1st respondent on 08.08.2007 relating to the rejection of the petitioner's claim for continuance in the registration seniority of the 1st Respondent's Exchange and quash the same.

For Petitioner : No appearance

For Respondents : Mr.K.Magesh (R1)

Special Government Pleader

सत्यमेव जयते
O R D E R

This Writ Petition has been filed challenging the impugned order passed by the first respondent on 08.08.2007 relating to the rejection of the petitioner's claim for continuance in the registration seniority of the first respondent's office and to quash the same.

2. The case of the petitioner is that he was appointed in the second respondent school as middle school teacher from 23.02.2003 and as the post was not approved by the Government and as he was not paid with salary till 31.05.2004, he resigned

his job, due to his family situation. Thereafter, he approached the first respondent to renew his name in the employment exchange but the first respondent rejected his request by way of Impugned Order dated 08.08.2007. Challenging the same, the petitioner has filed this Writ Petition.

3. On an earlier occasion i.e., on 10.11.2020, there was no representation for the petitioner and therefore the matter was directed to be listed today. Even today there is no representation for the petitioner.

4. The learned Special Government Pleader would submit that though the petitioner was appointed by the second respondent as a middle school teacher and since his post was not approved by the Government, he has voluntarily tendered the resignation. Thereafter, he approached the first respondent for renewal of seniority. Since the petitioner joined the service and subsequently resigned, his request for renewal of seniority was rejected by the first respondent by way of impugned order. It is further stated that subsequently the Government also passed an order stating that appointment to the post which the petitioner was eligible would be made only by the Teacher's Recruitment Board and cannot be made by way of direct appointment from the employment exchange and there is no scheme for appointment from the employment exchange. He would further submit that as of now the age of the petitioner is 61 years and therefore nothing survives for adjudication in this Writ Petition.

5. Considering the submission made by the learned Special Government Pleader and change in circumstances, this Court is of the view that the petitioner is not entitled to claim the relief sought for in this Writ Petition and therefore nothing survives for adjudication in this Writ petition and hence Writ Petition is dismissed as infructuous. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

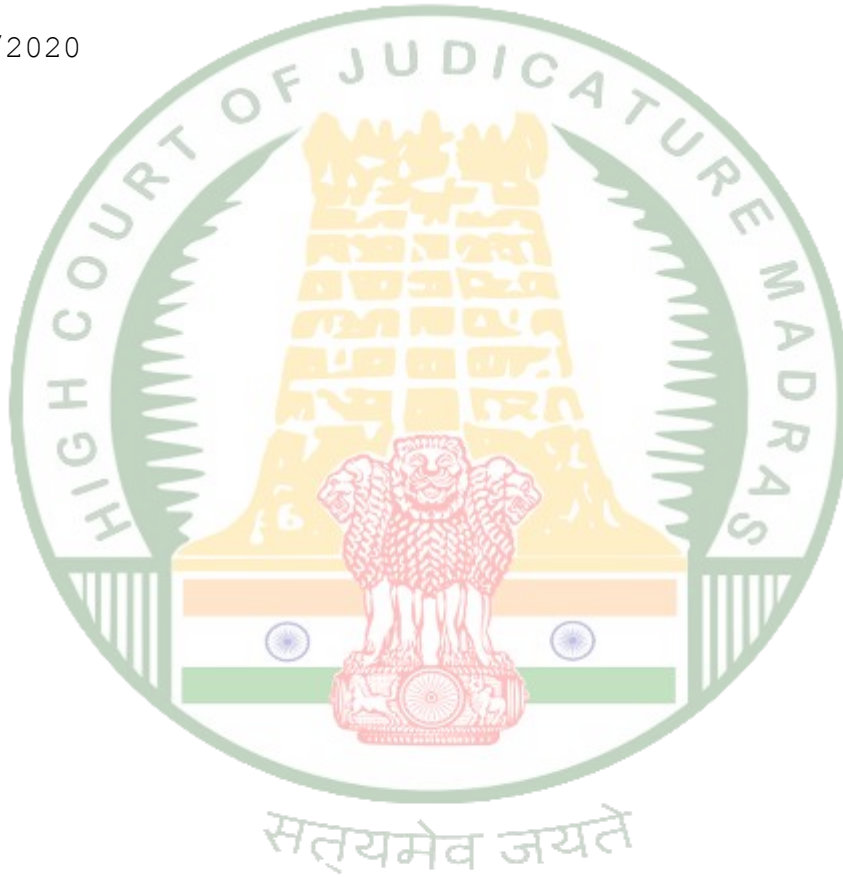
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+1cc to the Government Pleader, S.R.No.40098

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EV(CO)
KKV/28/12/2020



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