

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9761 of 2020
and
W.M.P.No.11893 of 2020

P.Jeyakumar

... Petitioner

vs.

1. The Director of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 600 006.
 2. The Chief Educational Officer,
Chief Educational Office,
Perambalur & District.
 3. The District Educational Officer,
District Educational Office, Vepur,
Perambalur District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus to call for the records from the 2nd Respondent pertaining to the impugned superannuation order, Na.ka.No.3094/A3/2020 dated 24.04.2020 and quash the same and consequently direct the 1st and 2nd Respondents to issue suitable order to continue the service of the petitioner in view of G.O.(Ms) No.51, dated 07.05.2020.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.P.Raja,
Government Advocate

O R D E R

Challenging the order dated 24.04.2020 passed by the 2nd Respondent and for a consequential direction to the 1st and 2nd Respondents to issue suitable order to enable him to continue in service, in the light of G.O.(Ms) No.51 dated 07.05.2020, the Petitioner has come up with the present Writ Petition.

2. When the matter was taken up for hearing, learned Government Advocate appearing for the Respondents submitted that, in a similar circumstance, this Court, by an order dated 12.06.2020 passed in W.P.No.8008/2020, etc. in the case of R.

Venugopalasamy vs. State of Tamil Nadu, has dismissed the batch of Writ Petitions. According to the learned Government Advocate, in view of the said order passed by this Court, no further adjudication is required in this case. For better appreciation, relevant portion of the said order reads thus:

"2. ... It is not in dispute that all the petitioners have attained the age of superannuation prior to the cut off date and have been re-employed in terms of G.O.249 dated 09.02.1959 till the end of the academic year i.e. up to 31.05.2020.

3. In similar Writ Petitions, viz. WP No.6442 of 2020 batch, the Madurai Bench of this Court, after exhaustive consideration of the law on the entitlement of the petitioners to the benefits of the said Government Order, has held that the petitioners are not entitled to benefits of G.O.Ms.51 dated 07.05.2020. As a result, all the Writ Petitions have been dismissed. The order of the Hon&ble Mr. Justice C.V.Karthikeyan, has also been made available.

4. In view of the same, I do not see any reason to entertain these Writ Petitions. These Writ Petitions are also dismissed accordingly.

5. The directions issued by the Madurai Bench of Madras High Court, with reference to payment of retirement benefits shall also apply to the petitioners herein. No costs. Consequently, the connected miscellaneous petitions are closed."

3. In the light of the said order passed by this Court, no further adjudication is required in this matter and the Writ Petition is dismissed as devoid of merits. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True copy//

(aeb/jas)

Sub Assistant Registrar

To:

1. The Director of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 600 006.
2. The Chief Educational Officer,
Chief Educational Office,
Perambalur & District.
3. The District Educational Officer,
District Educational Office, Vepur,
Perambalur District.

+1cc to Government Pleader SR.No25421

W.P.No.9761 of 2020
and
W.M.P.No.11893 of 2020

AJS (CO)
GMY (03/11/2020)



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