



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2020

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.10792 of 2020

P.Kanthimathi

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by the Director of School Education,
O/o. Directorate of School Education,
No.17, College Road,
Nungambakkam,
Chennai-8.

2.The Chief Educational Officer,
O/o. Chief Educational Officer,
Tenkasi District.

3.The District Educational Officer,
O/o. District Educational officer,
Sankarankovil,
Tenkasi District.

4.The Block Educational Officer,
O/o. Block Educational Officer,
Vasudevanallur Block,
Tenkasi District 627 758.

5.T.D.T.A.Middle School,
Rep. by the Correspondent,
Puliyangudi,
Tenkasi District-627 855.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the Respondent No.3 to approve the appointment of the petitioner as B.T.Assistant in Mathematics in the 5th Respondent School and also to provide salary and other consequential benefits with effect from the petitioner's appointment dated 18.11.2015, in the light of the order passed by this Hon'ble Court in W.P(MD)No.6394 of 2018 dated 26.03.2018 and the Proceedings of the Administrators Appointed by Hon'ble Madras High Court dated 23.11.2019 within the time stipulated by this Court.



For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.A.Thiyagarajan,
Government Advocate

WEB COPY

ORDER

The learned counsel appearing for the petitioner, after some arguments, would submit that, since the petitioner had already filed a writ petition in W.P.(MD)No.6394 of 2018, where he got an order on 26.03.2018 on the same issue, where mandamus was issued directing official respondents to consider the proposal sent by the School in respect of approval of appointment, however, despite the said order, as early as in the March 2018, so far, no orders have been passed, no approval has been given. Therefore, instead of filing the contempt petition against non-compliance of the order, dated 26.03.2018, the petitioner has filed the present writ petition and hence the petitioner may be permitted to withdraw the writ petition with liberty to agitate the issue by filing appropriate contempt petition, in the manner known to law.

2. Accepting the contentions made by the learned counsel appearing for the petitioner, this writ petition is dismissed as withdrawn with liberty to the petitioner to file appropriate contempt petition, if he is advised to do so on the alleged non-compliance of the order passed by this Court, dated 26.03.2018 made in W.P(MD)No.6394 of 2018. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director of School Education,
No.17, College Road, Nungambakkam,
Chennai-8.

<https://hcservices.ecourts.gov.in/hcservices/>



- 2.The Chief Educational Officer,
Tenkasi District.
- 3.The District Educational Officer,
Sankarankovil,
Tenkasi District.
- 4.The Block Educational Officer,
Vasudevanallur Block,
Tenkasi District 627 758.
- 5.The Correspondent,
T.D.T.A.Middle School,
Puliyangudi,
Tenkasi District-627 855.

Order made in
W.P. (MD) No.10792 of 2020

03.09.2020

NR(14.09.2020) 3P 6C