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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.26985 of 2008
& M.P.Nos.2 and 3 of 2008

L.Sivasankari

...Petitioner

Vs

1.The Director of Elementary Education,
Chennai - 6.

2.The Director of Secondary School Education,
Chennai - 6.

3.The District Elementary Education Officer,
Sivagangai.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent pertaining to order dated 2.9.2008 in No.27917/L3/08 and quash the same and consequently direct the respondents to post the petitioner in the vacancy at 10th part (Thokuthi) Municipal Middle School situated at No.23rd Ward, Devakottai, Sivagangai District.

For Petitioner : Mr.Ramesh Venkatachalapathy
for Mr.M.Sriram

For Respondents : Mr.C.Selvaraj
Government Advocate

O R D E R

Mr.Ramesh Venkatachalapathy, learned counsel appearing for Mr.M.Sriram, learned counsel for the petitioner on record would submit that he has no instruction to report in the matter, since the registered intimation of hearing of the present Writ Petition before this Court has been returned unclaimed. He has



filed an affidavit of service dated 07.09.2021 to this effect also enclosing the unclaimed cover.

2. Thus, though a communication has been sent to the petitioner at the correct address, the petitioner has chosen not to receive the same.

3. On 31.08.2021, though the learned counsel for the petitioner had been absent, learned counsel for the respondents had set out certain material facts and the same had been captured by this Court as follows:

2. This Court by its order dated 13.11.2008 directed the 2nd respondent i.e. the Director of Secondary School Education, Chennai to keep vacant a post of B.T.Assistant in one of the Middle Schools in Sivagangai District.

3. The aforesaid order was modified on 18.02.2009 and an interim direction issued in modification of the earlier interim order, to consider the case of the petitioner as and when vacancy arises in the post of B.T. Assistant (Mathematics) in any of the Middle Schools at Devakottai in Sivagangai District.

4. Mr.C.Selvaraj, learned Government Advocate for R2 would state that pursuant thereto, the request of the petitioner for transfer was considered and accommodated by order dated 31.07.2010 and the petitioner posted as B.T.Assistant in Avudaiyarkoil Union, Pudukottai.

5. List under the caption 'for dismissal' on 07.09.2021.

4. In light of the aforesaid position, both on merits as well as since the petitioner does not appear to be inclined to pursue the Writ Petition any further leading the learned counsel for the petitioner to report no instructions, this Writ Petition is dismissed. Connected Miscellaneous Petitions are also dismissed. No costs.

Sd/-

Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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