

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 22297 of 2011

and

W.M.P. No. 1 of 2011

P.Kandasamy

B.T.Assitant (Physics)

Government Higher Secondary School,

R.Pudupalayam, Rasipuram,

Namakkal.

.... Petitioner

-vs-

1. The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 006.

2. The Joint Director of School Education,
(Higher Secondary),
College Road, Nungambakkam,
Chennai - 600 006.

3. The Chief Educational Officer,
Namakkal, Namakkal District.

4. The Head Master,
Government Higher Secondary School,
R.Pudhupalayam, Rasipuram,
Namakkal.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 3rd respondent to grant re-employment to the petitioner till the end of the academic year 2011-2012 (31.05.2012) as a B.T.Assistant (Physics) in Government Higher Secondary School, R.Pudhupalayam, Rasipuram, Namakkal District.

For Petitioner : No appearance

For Respondents: Mr.S.Sureshkumar
Government Advocate

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to grant re-employment to the petitioner till the end of the academic year 2011-2012 (31.05.2012) as B.T.Assistant (Physics) in Government Higher Secondary School, R.Pudhupalayam, Rasipuram, Namakkal District.

2. The petitioner was appointed as B.T.Assistant (Physics) on 06.02.2008 at Government Higher Secondary School at Pudhupalayam, Rasipuram, Namakkal District, by the proceedings of the second respondent dated 02.02.2008. Accordingly, his service also was regularized.

3. The petitioner had been working in that capacity till he reaches superannuation on 30.09.2011 and on that day, he retired from service.

4. Since 30.09.2011, was the middle of the academic year, the petitioner awaited to get extension of service by way of re-employment till the end of academic year i.e., up to 31.05.2012.

5. In this regard, the petitioner had given request or representation on 23.08.2011, however the same was not considered and since the period of re-employment also was moving fast, he approached this Court by filing this Writ Petition with the aforesaid prayer.

6. There is no representation for the petitioner when the case is called for final hearing. However, the learned Government Advocate appearing for the respondents would submit that, the very period of the academic year was over as early as on 31.05.2012 itself. Therefore, the prayer sought for herein has already become infructuous.

7. As has been rightly pointed out by the learned Government Advocate appearing for the respondents, the plea raised by the petitioner to get relief of extension of service by way of re-employment after superannuation till the end of the academic year i.e., on 31.05.2012 cannot be considered at this juncture, since the said period was over at the decade back.

8. In view of the above, the Writ Petition has become virtually infructuous. Accordingly, it is dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vji
To

1. The Director of School Education,
College Road, Nungambakkam,
Chennai - 600 006.
2. The Joint Director of School Education,
(Higher Secondary),
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3. The Chief Educational Officer,
Namakkal, Namakkal District.
4. The Head Master,
Government Higher Secondary School,
R.Pudhupalaym, Rasipuram,
Namakkal.

+1 CC to The Government Pleader sr 8478.

सत्यमेव जयते

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and
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KK(CO)
SP(04/03/2021)

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