



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.Nos.9374/2009 & 30941/2008 and
MP.Nos.2 and 3 of 2009 & 2/2008

WP.No.9374 of 2009

M.Poongavanam

...Petitioner

Vs

1.The Director of Primary School Education,
College Road, Chennai-6.

2.The District Elementary Education Officer,
Villupuram.

3.The Additional Assistant Elementary
Education Officer,
Ulundurpet, Villupuram District.

... 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 concerned records from the 2nd respondent dated 10.12.2008 bearing reference No.Na.Ka.No.2183/E3/2008 as communicated by the 3rd respondent vide his letter dated 24.12.2008 bearing reference No.Na.Ka.No.1922/Aa1/2008 and quash the same as being illegal, arbitrary, vindictive, malafide and contrary to the seniority list w.e.f. 1.1.2008 and consequently direct the respondents 1 to 3 to consider and promote the Petitioner as Tamil Graduate Teacher with effect from 30.09.2008 protecting her seniority together with all consequential monetary and other attendant benefits which the Petitioner would have been entitled had she been promoted as per the proceedings of the 2nd respondent dated 30.09.2008.

AND

WP.No.30941 of 2008

M.Poongavanam

...Petitioner

Vs

1.The Director of Primary School Education,
College Road, Chennai-6.



2.The District Elementary Education Officer,
Villupuram.

3.The Assistant Elementary Education Officer,
Ulundurpet, Villupuram District.

4.The Headmaster,
Panchayat Union Middle School,
Ulundhandar Koil, Ulundurpet Taluk,
Villupuram District.

5.D.Vimala,
Headmistress,
Panchayat Union Elementary School, Neyvalai Colony,
Ulundurpet, Villupuram District. ... 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 concerned records from the 2nd and 3rd respondent relating to the proceedings of the 2nd respondent dated 19.12.2008 bearing reference No.Na.Ka.No.8240/E2/2008 promoting the 5th respondent to the post of Tamil Graduate Teacher and posting her in the 4th respondent School and quash the same as being illegal, arbitrary, vindictive, malafide and contrary to the seniority list w.e.f. 1.1.2008 and consequently direct the respondents 1 to 3 to consider and promote the Petitioner as Tamil Graduate Teacher with effect from 30.09.2008 protecting her seniority together with all consequential monetary and other attendant benefits which the Petitioner would have been entitled had she been promoted as per the proceedings of the 2nd respondent dated 30.09.2008.

For Petitioner : Ms.Raji
(In both WPs) for Mr.S.Saravana Kumar

For Respondents 1 to 3 : Mr.C.Selvaraj
(In both WPs) Government Advocate

COMMON ORDER

Ms.Raji, learned counsel appearing for Mr.S.Saravana Kumar, learned counsel on record for the petitioner and Mr.C.Selvaraj, learned Government Advocate appearing for the respondents concur on the position that nothing survives in these matters insofar as the petitioner has been granted the benefit of promotion as sought for and she thus does not pursue the same. Written instructions dated 11.09.2021 are placed on record to the aforesaid effect.



2. Recording the aforesaid, these writ petitions are dismissed as infructuous. No costs. Connected miscellaneous petitions are closed.

WEB COPY

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

vs

To

- 1.The Director of Primary School Education,
College Road, Chennai-6.
- 2.The District Elementary Education Officer,
Villupuram.
- 3.The Additional Assistant Elementary
Education Officer,
Ulundurpet, Villupuram District.
- 4.The Assistant Elementary Education Officer,
Ulundurpet, Villupuram District.

+1cc to Government Pleader SR.No.46524

W.P.Nos.9374/2009 & 30941/2008 and
MP.Nos.2 and 3 of 2009 & 2/2008

RLD(CO)
GMY(11/10/2021)