

C.M.P.No.10772 of 2021 in
W.A.No.1250 of 2021

PUSHPA SATHYANARAYANA,J.
AND
KRISHNAN RAMASAMY,J.

The above writ appeal was dismissed as infructuous by this Court on 23.06.2021 as the extension sought for by the writ petitioner was over as early as on 31.05.2020.

2. This petition is filed by the Government stating that even as early as on 08.01.2020, the writ petitioner had given a letter dated 06.01.2020 to the District Educational Officer and the Block Educational Officer that he is not interested in getting re-employed due to his health reasons as well as family circumstances and he has also stated that he would not press the writ petition filed by him.

3. Learned State Government Counsel says that the above letter was omitted to be brought to the knowledge of this Court at the time of disposal of the present appeal. Hence the present petition is filed to modify the order.

4. This has become imperative as the writ petitioner has already filed a Contempt Petition in Contempt Petition No.755 of 2020 for the disobedience of the order passed by the Writ Court.

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5. Now, the learned State Government Counsel seeks to incorporate the contents of the said letter in the writ appeal. Accordingly, only the letter dated 06.01.2020 is recorded. However, the fact remains that since the writ appeal has virtually become infructuous on the ground that the writ petitioner was not granted extension and also has voluntarily withdrawn his willingness for re-employment, he will not be entitled to monetary benefits from the date of superannuation till the end of academic year.

6. Hence, the dismissal of the writ appeal as infructuous stands confirmed.

C.M.P.No10772 of 2021 is ordered accordingly,

(P.S.N.,J.)

(K.R.,J.)

16.07.2021

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