

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.3940 of 2014
& M.P.No.1 of 2014

Tamil Nadu Physical Education
Teachers & Directors Association,
Rep. by its State President,
S.Sankaraperumal,
bearing Regn. No.69/2008/35/98
F-7, Elegant Flats, 11, Sivaraman Street,
Triplicane, Chennai - 600 005.

...Petitioner

Vs.

1. The State of Tamil Nadu, Rep. by
The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
2. Director of School Education,
Chennai - 600 006.
3. The Joint Director of School Education,
[Personnel], Chennai - 600 006.
4. The Joint Director of School Education,
[Higher Secondary], Chennai - 6.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus seeking a direction to the first respondent to carry out the amendment in the Tamil Nadu School Educational Subordinate Services as per G.O.Ms.No.811, Education Scheme & Technology Department, dated 18.10.1995 deleting the requirement of test qualification of Account Test for Subordinate Officers Part I, for physical Education Teachers so as to enable them to get probation declared and get promotion to the post of Physical Director Grade - II from 1995 and confer all consequential benefits.

For Petitioner : M/s.C.S. Associates
for Mr.P.Ganesan

For Respondents: Mr.A.Rajaperumal,
Additional Government Pleader

ORDER

The prayer made in this writ petition is to direct the first respondent to carry out the amendment in the Tamil Nadu School Educational Subordinate Services as per G.O.Ms.No.811, Education Scheme & Technology Department, dated 18.10.1995 deleting the requirement of qualifying the Account Test for Subordinate Officers Part I for Physical Education Teachers, so as to enable them to get probation declared and also promotion to the post of Physical Director Grade - II from 1995 and confer all consequential benefits.

2. Today, when the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondents submitted that subsequent to the filing of this writ petition, G.O.Ms.No.39, School Education (SE.3(1) Department, dated 19.02.2016, came to be passed, thereby deleting the requirement of qualification of Account Test for Subordinate Officers Part I for Physical Education Teachers, to get the probation declared and promotion to the post of Physical Director Grade II and hence, nothing survives for adjudication herein. In support of the said submission, he produced a copy of the said G.O. for perusal of this Court.

3. In view of the above submission made by the learned Additional Government Pleader appearing for the respondents, this writ petition is dismissed as the relief sought herein has become infructuous. No costs. Consequently connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

vrc

To

1. The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
2. Director of School Education,
Chennai - 600 006.
3. The Joint Director of School Education,
[Personnel], Chennai - 600 006.

4. The Joint Director of School Education,
[Higher Secondary], Chennai - 6

+1 CC to The Government Pleader sr 14199.

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KV(CO)
SP(09/07/2021)



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