



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD).Nos.2430 and 2784 of 2015 and 3244 of 2012
and
M.P. (MD)Nos.1,1 and 2 of 2015
in
W.P. (MD)Nos.2430 and 2784 of 2015

W.P (MD) .No.2430 of 2015

M/s.Quide Millath Mohamed Isamil,
Sahib Memorial Primary School,
Represented by its Secretary,
M.Mohamed Isamil,
S/o.Mohamed Ibrahim
Piliangudi,
Tirunelveli District.

.. Petitioner

Vs.

1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli.

2.The Assistant Elementary Educational Officer,
Vasuthevanallur,
Tirunelveli District.

3.Muthu

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, calling for the records relating to the proceedings of the 1st respondent made in Na.Ka.No.6810/A4/2014 dated 04.12.2014 and quash the same.

For Petitioner : Mr.N.Mohideen Basha

For R1 and R2 : Mr.M.Lingadurai

Government Advocate

For R3 : Mr.S.C.Herold Singh

W.P. (MD)No.2784 of 2015

Byrose Begam

.. Petitioner

Vs.



1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli.

2.The Secretary,
Quide Millath Mohamed Ismail,
Sahib Memorial Primary School,
Puliyangudi,
Tirunelveli.

3.The Additional Assistant Elementary Educational Officer,
Vasuthevanallur,
Tirunelveli District.

4.Muthu

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, to call for the records of the 1st respondent in Na.Ka.No.6810/A4/2014 dated 04.12.2014 and quash the same.

For Petitioner : Mr.K.K.Uthayakumar
for Mr.H.Arumugam
For R1 and R3 : Mr.M.Lingadurai
Government Advocate
For R2 : Mr.N.Mohideen Basha
For R4 : Mr.M.Jagadeesh Pandian

W.P. (MD)No.3244 of 2012

Muthu

.. Petitioner

Vs.

1.The Assistant Elementary Educational Officer,
Vasuthevanallur,
Tirunelveli District.

2.The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.

3.The Secretary,
Quide Millath Mohamed Ismail
Sahib Memorial Primary School,
Puliyangudi,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to sanction the pensionary benefits to the petitioner
Services to be given till retirement taking into account the entire period of



service under the third respondent (ie from 29.07.1974 to 31.05.2009) fixing his pay in the scale meant for Elementary School Headmaster post.

For Petitioner : Mr.V.Kannan
For R1 and R2 : Mr.M.Lingadurai
Government Advocate
For R3 : Mr.N.Mohideen Basha

COMMON ORDER

Mr.N.Mohideen Basha, learned counsel appearing for the petitioner in W.P.(MD)No.2430 of 2015, Mr.H.Arumugam, learned counsel appearing for the petitioner in W.P.(MD)No.2784 of 2015 and Mr.V.Kannan, learned counsel appearing for the petitioner in W.P.(MD)No.3244 of 2012 submitted that all the writ petitions have become infructuous, in view of the subsequent orders passed by the District Educational Officer, Sankarankovil, in proceedings No.Na.Ka.No.695/A1/2020, dated 17.09.2020. It is further stated that the impugned order challenged in these writ petitions was also recalled by order dated 17.09.2020.

2.Considering the submissions made by the learned counsel for the petitioners as well as the learned Government Advocate appearing for the first and second respondents, the relief sought for in these writ petitions have become infructuous and nothing survives for adjudication in these writ petitions. Accordingly, these writ petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Assistant Elementary Educational Officer,
Vasuthevanallur,
Tirunelveli District.



2.The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.

+1CC to Mr.H.Arumugam, Advocate, SR.No.25293 dated 05.08.2021

+1CC to Mr.S.C.Herold Singh, Advocate, SR.No.25555 dated 06.08.2021

+1CC to SPL.GP, SR.No.25523 dated 06.08.2021

W.P. (MD) .Nos.2430 and 2784 of 2015 and 3244 of 2012
and

M.P. (MD) Nos.1,1 and 2 of 2015
in

W.P. (MD) Nos.2430 and 2784 of 2015
05.08.2021

SS-II (CO)

KB(18.08.2021) 4P 6C