



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2022
CORAM

WEB COPY

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 20733 of 2018
and
W.M.P. No. 24356 of 2018

A.E.Jeevanandam

...Petitioner

-vs-

1. The State of Tamil Nadu rep. by its
Secretary to Government,
School Education Department,
Fort St. George,
Chennai-600 009.
2. The Director of School Education,
D.P.I. Campus,
College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Panagal Maligai, Saidapet,
Chennai-600 015.
4. The District Educational Officer,
Chennai (East), Chennai-600 005.
5. The Secretary,
Dhanalakshmi Higher Secondary School,
Royapuram, Chennai-600 021.

...Respondents

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the order nil dated July 2018 in O. Mu. No. 3066/A4/2018 of the Fourth Respondent and quash the same and consequently direct the Fourth Respondent to re-employ the Petitioner as Tamil Pandit till the end of the academic year 2018-2019, i.e., 31.05.2019 as per G.O. Ms. 1643 Educational (U2) Department.

For Petitioner : Mr. C.Johnson

For Respondents: Mr. D.Gopal

Government Advocate (For R1 to R4)

No appearance (For R5)



O R D E R

Heard Mr. C.Johnson, Learned Counsel for the Petitioner and Mr. D.Gopal, Learned Government Advocate appearing for the First to Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who was working as B.T. Assistant (Tamil) had on 30.06.2018 attained the age of superannuation when he had been relieved from service. However, he had made a representation dated 06.06.2018 to continue in service till 31.05.2019, which is the date on which the academic year 2018-2019 ends. The Fourth Respondent by Order in O. Mu. No. 3066/ A4/2018 dated 24.07.2018 rejected the same stating that the post held by the Petitioner was in excess of the sanctioned strength, which is challenged by the Petitioner in this Writ Petition.

3. Learned Counsel for the Petitioner states that though the period for which the Petitioner had sought for continuance in service is now over and his terminal benefits have also been paid, he had worked in the month of July 2018 for which salary has not been paid. In such circumstances, the Petitioner would not be entitled to the relief as claimed in the Writ Petition, but he is not precluded from making necessary representation to the concerned authority for payment of salary for the period he claims to have worked with supporting materials. It shall be incumbent upon the concerned authority to examine the said representation, if made, and pass reasoned orders on merits and in accordance with law expeditiously and communicate the decision taken to the Petitioner under written acknowledgment. It is made clear that no view is expressed by this Court in that regard.

4. In fine, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai-600 009.



2. The Director of School Education,
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College Road,
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3. The Chief Educational Officer,
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4. The District Educational Officer,
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5. The Secretary,
Dhanalakshmi Higher Secondary School,
Royapuram, Chennai-600 021.

+1cc to Mr.C.Johnson, Advocate, S.R.No.22181
+1cc to the Government Pleader, S.R.No.22743

W.P. No. 20733 of 2018

PL(CO)
KKV/15/06/2022