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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

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

W.P. No. 26050 of 2017

and

W.M.P. Nos. 27648 to 27650 of 2017

R.Kalaiselvi

... Petitioner

-vs-

1. The Principal Secretary/State Project Director,
Sarva Shiksha Abiyan (SSA),
Chennai - 600 006.
 2. The Additional Chief Educational Officer (SSA),
Thiruvannamalai,
Thiruvannamalai District.
 3. The Secretary,
SPHEED Charitable Trust,
Kasthurba Gandhi Baliga Vidyalaya Residential School,
Rayandapuram Road,
Perungalathur, Thandrapet Union,
Thiruvannamalai District.
 4. The Secretary,
SWED Charitable Trust,
Kasthurba Gandhi Baliga Vidyalaya Residential School,
Ammattankollai @ Perungkattur,
Kovilur Post, Javvathumalai Union,
Thiruvannamalai District.
- ... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned advertisement published in the Tamil Daily Dhinamalar on 14.09.2017 on the file of the Third Respondent and quash the same as illegal and consequently to direct the Respondents to permit the Petitioner to continue in service as B.T. Assistant (Science) upto 31st March 2019 without TET enabling the Petitioner to acquire TET within such time.



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For Petitioner : Ms. S.Vanmathi
for Mr. K.Thilageswaran

For Respondents : Mr. Silambannan, Additional
Advocate General assisted by
Mrs. C.Sangamithirai,
Special Government Pleader
(for R1 & R2)
No appearance (for R3 & R4)

O R D E R

The Petitioner, who had been appointed as B.T. Assistant (Science) and had not passed the Teachers Eligibility Test as required by Section 23 of the Right of Children to Free and Compulsory Education Act, 2009, has filed this Writ Petition on 03.10.2017 to permit her to continue in service till 31.03.2019 for passing Teachers Eligibility Test.

2. Learned Special Government Pleader appearing for the First and Second Respondents, on instructions, states that despite the lapse of the said period, the Petitioner has not passed the said test.

3. It is informed by Learned Counsel for the Petitioner that since the Petitioner has not contacted her despite several reminders, there are no instructions from her to prosecute the matter and endorsement to that effect has been made in the court record. There does not appear to be any useful purpose being served in keeping the Writ Petition pending indefinitely.

4. In view of the same, the Writ Petition is dismissed for non-prosecution. It is made clear that the Petitioner is not precluded from applying for revival of the Writ Petition, if necessary, in accordance with law. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Principal Secretary/State Project Director,
Sarva Shiksha Abiyan (SSA),
Chennai - 600 006.



2. The Additional Chief Educational Officer (SSA),
Thiruvannamalai,
Thiruvannamalai District.

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+1cc to the Government Pleader, S.R.No.30597

W.P. No. 26050 of 2017

BP (CO)
CT/23/06/2022