



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

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

W.P. NO. 17999 OF 2017

AND

W.M.P. NO. 19562 OF 2017

Periyasaamy Aided Elementary School
Rep. by its Correspondent /Secretary
G.Kalavathy
Mettur Main Road
Ammapettai, Bhavani Taluk
Erode District - 638 311.

... Petitioner

-vs-

1. The Director of Elementary Education
DPI Complex College Road
Chennai.
2. The District Elementary Educational Officer
O/o. District Elementary Educational Office
Erode.
3. The Assistant Elementary Educational Officer
Ammapettai, Erode District.
4. S.Ilanthendral

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents to conduct enquiry in regarding with appointment of the Fourth Respondent in the Petitioner school consequently take appropriate action including dismissal from service against the Fourth Respondent for her illegal appointment within the time limit fix by the Court.



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For Petitioner : Mr. C.Prakasam

For Respondents: Mr. P.Balathandayutham (for R1 to R3)
Special Government Pleader

Mr. G.Sankaran (for R4)

O R D E R

Heard Mr. C.Prakasam, Learned Counsel for the Petitioner, Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the First to Third Respondents and Mr. G.Sankaran, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First to Third Respondents to conduct enquiry regarding the appointment of the Fourth Respondent in the School of the Petitioner with consequential direction to take appropriate action including dismissal from service against the Fourth Respondent for her illegal appointment.

3. It is brought to notice that after the filing of the Writ Petition, the Second Respondent by Order in Na. Ka. No. 176/Aa3/2018 dated 18.07.2018 has taken action and granted approval for termination of the Petitioner and its copy has been placed on record. It is further stated that in respect of the said order, the Fourth Respondent has filed the Writ Petition in W.P. No. 3603 of 2018 before this Court. In view of the same, Learned Counsel for the Petitioner seeks permission of the Court to withdraw this Writ Petition reserving the rights of the Petitioner to raise all the contentions in W.P. No. 3603 of 2018 when it is taken up for hearing. He has also made an endorsement to that effect in the court record.

4. In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Maya



To

1. The Director of Elementary Education
DPI Complex College Road
Chennai.
2. The District Elementary Educational Officer
O/o. District Elementary Educational Office
Erode.
3. The Assistant Elementary Educational Officer
Ammapettai, Erode District.

+1cc to the Government Pleader, S.R.No.33119

W.P. No. 17999 of 2017

NR(CO)
PM/10/06/2022