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W.A.Nos.680 and 709 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

**W.A.Nos.680 and 709 of 2015
and M.P.Nos.1,1,2 and 3 of 2015**

W.A.No.680 of 2015

1 The Chairman
T.E.L.C. Education Board, Tranquebar House
Trichy 620 001

2 Mr.M.Natchatraraj
Correspondent Telc Primary School 5 Jeya
Nagar Selai Road Tiruvallur 602 001

... Appellants

Vs

1 A. Moses Mohanraj
Backiavan Illam No.39/471 Roja Street
Poonga Nagar Tiruvallur District

2 The District Elementary
Educational Officer Kancheepuram District

3 The Assistant Elementary
Educational Officer Sri Perumbudur Range
Kancheepuram District

4 Mr.M.Powels
Correspondent TELC Primary School
Valarpuram Sriperumbudur Range
Kancheepuram District

5 Mrs.K.Lilly Roselin
Thilagavathy Headmistress Karambakudi



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Primary School Nilgiris District

6 Mr.P.John William Sundar
Headmaster Cherambadi Primary School
Nilgiris District

... Respondents

Prayer in W.A.No.680 of 2015 : Writ Appeal under Clause 15 of the Letters Patent against the order dated 18.03.2015 in W.P.No.15600 of 2014.

For Appellants	:	Mr.S.Nedunchezian
For Respondents	:	No appearance - for R1
		Mr.K.V.Sajeev Kumar
		Special Government Pleader - for RR 2,3&4
		R5 - Dismissed vide court order
		dated 23.12.2022.
		R6 - Served. No appearance

W.A.No.709 of 2015

- 1 The Tamil Evangelical Lutheran Church
(TELC) Rep. By Its Secretary
Tranquobar House Tiruchirapalli.
- 2 The Chairman, Education Board
Tamil Evangelical Lutheran
Church Tranquobar House
Tiruchirapalli-620 001.
- 3 The Correspondent
LMC Hr. Sec. School Sirkali 609101
Nagapattinam District.
- 4 The Correspondent
TELC Middle School, Aranthangi

.... Appellants

Vs



W.A.Nos.680 and 709 of 2015

1 I.Joshua Samuel
Lmc Higher Secondary School Sirkali 609 110
Nagapattinam District

2 The District Educational Officer
Myladuthurai

3 The District Elementary
Educational Officer Aranthangi

4 The Chief Education Officer
Nagapattinam

5 S.David Anugraharaj
Telc Middle School Aranthangi

.... Respondents

Prayer in W.A.No.709 of 2015 : Writ Appeal under Clause 15 of the Letters Patent against the order in W.P.No.15919 of 2014 dated 18.03.2015.

For Appellants	:	Mr.S.Nedunchezian
For Respondents	:	Ms.L.R.Rase Radhi Jijo for Mr.E.Martin Jayakumar - for R1 Mr.K.V.Sajeev Kumar Special Government Pleader - for RR 2 &3 RR 4 and 5 - Dismissed vide court order dated 23.12.2022.

COMMON JUDGMENT

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

Since both the writ appeals arise out of the common order passed in W.P.No.15600 of 2014 and W.P.No.15919 of 2014 along with other two connected writ petitions by an order dated 18.03.2015 by the Writ Court, with the consent of the learned counsel for both sides, both these writ appeals were heard together and disposed of by this common judgment.



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2. The private respondents were the teachers working under the appellant Management. By virtue of the transfer order dated 23.05.2014 these teachers were transferred to some other school under the same management. Challenging the same, writ petitions were filed. During the pendency of the writ petitions, interim order of stay was granted and when these writ petitions were taken up for final hearing on 18.03.2015, having taken note of the fact that the only a limited period of academic year 2014-15 was there and therefore considering the same, the learned Judge ultimately has passed the following order:

" 14. This Court granted interim stay of operation of the impugned orders of transfer. The interim orders are still in operation. Since the academic year 2014-15 is in the advanced stage, I am of the view that the petitioners should be permitted to continue in their present school till the end of this academic year. The petitioners are given time till 31 May 2015 to join duty pursuant to the orders of transfer."

3. Therefore, the teachers were permitted to be retained in the school from where they have been transferred only till the end of the academic year ie., 31.05.2015 alone. As against which, even though appeals were filed immediately in the year 2015, during the pendency of the writ appeals, the academic year 2015 was



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over by 31.05.2015, till such date the time that was given, was already over. When that being so, nothing survives in these writ appeals. Hence, these writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

(R.S.K.,J..) (K.B.,J.)

16.08.2023

Index : Yes/No

Internet : Yes/No

KST

To

- 1 The District Elementary
Educational Officer Kancheepuram District
- 2 The Assistant Elementary
Educational Officer Sri Perumbudur Range
Kancheepuram District.
- 3 The District Educational Officer
Myladuthurai
- 4 The District Elementary
Educational Officer Aranthangi
- 5 The Chief Education Officer
Nagapattinam



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W.A.Nos.680 and 709 of 2015

R.SURESH KUMAR, J.
and
K.KUMARESH BABU, J.

KST

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