



WEB COPY



W.P. No. 7097 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

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

W.P. No. 7097 of 2023

and

W.M.P. No. 7176 of 2023

Lady Sivaswamy Ayyar Girls' Higher Secondary School
Old No. 26, East Mada Street
Mylapore, Chennai – 600 004
Rep. by its Secretary
M.C.Srikanth
S/o.Thiru Madoor Comondur Ranganathan

... Petitioner

-VS-

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government
School Education Department
Fort St. George, Secretariat
Chennai – 600 009.
2. The Commissioner
Directorate of School Education
DPI Campus, College Road
Chennai – 600 006.
3. The Chief Educational Officer
Chennai District
Presidency Girls Higher Secondary School Campus
Egmore, Chennai – 600 008.
4. The District Educational Officer
Chennai South District
Modern Government Hr. Sec. School Compound
Saidapet, Chennai – 600 015.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondents from passing orders for deputation or deployment of non-teaching staffs working in the Petitioner school within the sanctioned post in accordance with the pre-revised scale prior to G.O. Ms. NO. 238, School Education Department dated 13.11.2018 till their retirement or termination of service by other means, in consideration of the representation submitted by the Petitioner School dated 13.02.2023.

For Petitioner : Mr. G.Sankaran
Senior Counsel
For Mr. S.Neduchezhiyan

For Respondents : Mrs. R.Anitha
Special Government Pleader

ORDER

Heard Mr. G.Sankaran, Learned Senior Counsel assisted By Mr. S.Neduchezhiyan, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Third Respondent has filed a memo dated 13.03.2023 stating as follows:-

“1. It is humbly submitted that the above Writ Petition has been filed by the Petitioner to issue a Writ of Mandamus



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forbearing the Respondents from passing orders for deputation or deployment of non-teaching staff working in the Petitioner School within the sanctioned post in accordance with the pre-revised scale prior to G.O.Ms. No. 238, School Education Department, dated 13.11.2018 till their retirement or termination of service by other means, in the consideration of the representation submitted by the Petitioner School dated 13.02.2023. The Chief Educational Officer's deputation orders cancelled on 09.02.2023.

2. *It is submitted that this office had cancelled the earlier orders passed by this office on 09.02.2023 and the orders are enclosed herewith.*

In the above circumstances it is respectfully prayed that this Hon'ble Court may be pleased to take this memo along with order on record and pass necessary orders."

In such circumstances, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has made an endorsement to that effect.

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

15.03.2023

Maya

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 18.04.2023.



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P.D. AUDIKESAVALU, J.

Maya

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