



WEB COPY



W.P. No. 7733 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM

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

W.P. No. 7733 of 2023

J.Mariashilpa

... Petitioner

-VS-

1. The Chief Educational Officer,
Dharmapuri 636 705
Dharmapuri District.

2. The District Educational Officer
(Secondary Education)
Dharmapuri – 636 705.
Dharmapuri District.

3. The Head Master,
Government Higher Secondary School,
Lakkimpatti 636 705
Dharmapuri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the 1st respondent to pass appropriate orders in representation dated 19.01.2023, 20.01.2023 and 10.02.2023 made by the petitioner.

For Petitioner

: Mr. P.Ganesan

For Respondents

: Mr. B.Vijay

Additional Government Pleader
(for R1 to R3)



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ORDER

Heard Mr. P.Ganesan, Learned Counsel appearing for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the First to Third Respondents 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 Respondent to pass appropriate orders on the representations dated 19.01.2023, 20.01.2023 and 10.02.2023 made by the Petitioner relating to striking out of the entry in her Service Register.

3. The First Respondent has filed an affidavit dated 20.03.2023 in which it has been stated as follows:-

“ 4. It is submitted that the Declaration of Probation entries on behalf of the writ petitioner Tmt. J.Maria Shilpa, B.T. Assistant of Government Higher Secondary School, Lakkiampatti, Dharmapuri District (which already entered in Page No. 37 of her service register volume-1) was stroked out by mistake by green ink pen.



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5. *The above probation declaration order was issued by the Chief Educational Officer, Dharmapuri while the writ petitioner was working in Government High School, Avvai Nagar, Dharmapuri District. The original file along with Original Probation Declaration orders in now available in that school. Hence the Headmaster of Government High School, Avvai Nagar, Dharmapuri was addressed in letter of the Headmaster Govt. Higher Secondary School, Lakkiampatti in Rc. No.87/2023 dated 15.03.2023 sending the service register, requesting to make fresh probation declaration entries in her service register. If the Headmaster is not making probation entries, the concerned probation file will be obtained from him and the entries will be carried out by the Headmaster, Government Hr. Sec. School, Lakkiampatti. Her punishment entries have already been cancelled in her S.R. as per the oral instructions of the Chief Educational Officer, Dharmapuri.*

For the above fault of striking the probation entry occurred accidentally, without clearly perusing the S.R. Entry, her present and future service benefits such as increment sanction, leave sanction, further promotions will not affect her in any way.”



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4. In view of the aforesaid action taken on the representations dated 19.01.2023, 20.01.2023 and 10.02.2023 made by the Petitioner, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner, if he has still any other grievance from working out his remedies before the proper forum in the manner recognized by law.

In fine, the Writ Petition is disposed with the aforesaid clarifications.

No costs.

20.03.2023

Sgl

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 25.04.2023



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To

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P.D. AUDIKESAVALU, J.

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