



W.P.(MD)No.13055 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.13055 of 2016
and W.M.P.(MD) Nos.9846 and 14808 of 2016

Central Higher Secondary School,
Kayalpatnam – 628 204,
Tuticorin District,
Rep. by its Correspondent

... Petitioner

Vs.

- 1.The Chief Educational Officer,
Tuticorin District,
Tuticorin.
- 2.Saleem Mohammed,
B.T.Assistant (Science),
Central Higher Secondary School,
Kayalpatnam – 628 204,
Tuticorin District.
- 3.The Management,
L.K. Higher Secondary School,
Kayalpatnam – 628 204,
Tuticorin District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 2nd respondent in Moo.Moo.No. 6306/Aa3/2015



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dated 20.11.15 (received on 25.02.16) and his consequential order No.Na.Ka.No. 6306/Aa3/2015 dated 29.06.16 and quash the same as illegal and consequently direct the 1st Respondent to retain the 2nd respondent in the petitioner school in terms of G.O.Ms.No. 525 School Education (D1) Department dated 29.12.97.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.T.Amjadkhan
Government Advocate for R1

No appearance for R2 & R3

ORDER

The petitioner is a minority institution. It was sanctioned 14 posts. Due to the fall in ratio between the teachers and students applying G.O.Ms.No. 525 School Education (D1) Department dated 29.12.97, the post occupied by the second respondent was declared surplus and the second respondent was redeployed in third respondent school. Challenging the same the present Writ Petition was filed.

2. Heard Mr.M.Jerin Mathew, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate, appearing on behalf of the first respondent.



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3. Learned Government Advocate would submit that pending the Writ Petition, the strength of the institution has improved and therefore, the first respondent has given up the proposal to transfer the second respondent to the third respondent school.

4. Since, pending the Writ Petition, the cause of action has vanished, no further adjudication is necessary in this Writ Petition. Suffice it to record the statement of learned Government Advocate that the second respondent will not be redeployed as long as the strength is maintained as per G.O.Ms.No. 525 School Education (D1) Department dated 29.12.97.

5. With the above observations, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

10.11.2023

NCC : Yes / No

Index : Yes / No

SJ



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V.LAKSHMINARAYANAN, J.

SJ

To

- 1.The Chief Educational Officer,
Tuticorin District,
Tuticorin.

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