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W.P.No. 32570 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.32570 of 2012

and

M.P.No. 1 & 2 of 2012

E. Surya

...Petitioner

Vs

1. The Director of Elementary Education,
DPI Complex, College Road,
Nungambakkam, Chennai.

2. The District Elementary Education,
Nagapattinam.

3. The Secretary,
Kumaran Aided Middle School,
Manjakkollai,
Nagapattinam.

...Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of (i) Na.Ka.No. 5752/A5/2012 dated 19.11.2012 on the file of the second respondent and subsequently (ii) Na.Ka.No. Nil/2012 dated 20.11.2012 issued by the third respondent and quash the same and consequently allow the



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petitioner to continue to serve as Secondary Grade Teacher with continuity in service and monetary benefits by granting time to pass the Teacher Eligibility Test as per G.O.Ms.No. 181 Education, dated 15.11.2011.

For Petitioner : Mr.R.Ramesh
For R1 & R2 : Mr.T.M.Rajangam
Government Advocate
For R3 : No appearance

ORDER

This writ petition is filed seeking for Certiorarified Mandamus, to quash the impugned order in Na.Ka.No. 5752/A5/2012 dated 19.11.2012 passed by the second respondent and Na.Ka.No. Nil/2012 dated 20.11.2012 issued by the third respondent and to allow the petitioner to continue to serve as Secondary Grade Teacher with continuity in service with monetary benefits by granting time to pass the Teacher Eligibility Test as per G.O.Ms.No. 181 Education, dated 15.11.2011.



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2. The learned Government Advocate appearing for the first and second respondents submitted that since the petitioner did not qualify the Teacher Eligibility Test, the appointment of the petitioner was cancelled by the District Elementary Educational Officer on 19.11.2012 in Proceedings Na.Ka.No. 5752/A5/2012 and from that date onwards the petitioner is not attending the school. In this regard, there was no interim order passed by this Court. Hence, nothing survives in this writ petition for further adjudication.

3. In view of the submission made by the learned Government Advocate appearing for the first and second respondents, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

19.03.2024

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Index:Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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J.SATHYA NARAYANA PRASAD, J.

nsI

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