



WEB COPY



W.A.No.1300 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

W.A.No.1300 of 2022
and
C.M.P.Nos.8210 & 8213 of 2022

1. The State Of Tamilnadu,
Rep. by its Secretary to
School Education Department,
Secretariat, Fort St. George,
Chennai .

2. The Director Of School Education,
DPI Campus, College Road,
Chennai-600 006.

3. The Chief Educational Officer,
Tiruppur District, Tiruppur.

4. The District Educational Officer,
Udumalpet, Udumalpet - 642126.

5. The Head Master,
Government Higher Secondary School,
Udukambalayam, Tirupur District,
Pincode - 642 207.

... Appellants

Vs.

N. Aruna Devi

... Respondent



W.A.No.1300 of 2022

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 20.11.2019 made in W.P.No.32268 of 2019 and allow the Writ Appeal.

For Appellants : Mr.J.C.Durai Raj,
Additional Government Pleader

For Respondent : No Appearance

J U D G E M E N T

(Judgement of the Court was delivered by S.M.Subramaniam J.)

The respondents in the writ petition are the appellants herein.

2. The writ petitioner was working as teacher in the Government School. She attained superannuation during the middle of the academic year 2019. Based on the G.O(Ms).No.1643 Education (E2) Department dated 27.10.1988, she claimed re-employment for the balance of the academic year. She has contended that she was fully qualified as per the said G.O, but her request for re-employment has been rejected by the Educational Authorities on various dates citing that there are surplus teachers on the same subject in the districts. These orders of the Educational Authorities were challenged before the learned Single Judge in a batch of writ petitions.



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3. The issues raised in the present writ appeal were adjudicated by a Division Bench of this Court in a batch of writ appeals in ***W.A.Nos.259 of 2020 batch cases***, and a judgment was delivered on ***10.12.2021***.

4. In view of the fact that the case of the appellants is also similar to that of the cases (cited *supra*), the case of the appellants is also to be considered on the same line. Accordingly, the writ order dated 20.11.2019 made in W.P.No.32268 of 2019 is set aside and consequently, this writ appeal stands allowed. No costs. Connected miscellaneous petitions are closed.

(S.M.S.J.,)

(C.K.J.,)

01.08.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)



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S.M.SUBRAMANIAM, J.

and

C.KUMARAPPAN, J.

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