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W.P.No. 18566 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.18566 of 2020

S.Kannan

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Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Fort St.George,
Chennai - 600 009.

2.The Director of School Education,
D.P.I.Campus,
College Road, Chennai - 600 006.

3.The Chief Educational Officer,
Chennai District,
Egmore,
Chennai - 600 008.

4.Vallal S.I.Alagarsami Higher Secondary School
Nos. 2 & 3, Adam Sahib Street,
Royapuram,
Chennai - 600 013.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider and pass appropriate orders on the representation of the



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petitioner dated 14.06.2019 within a stipulated period.

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For Petitioner : Mr.K.Selvaraj
For R1 to R3 : Mr.S.Prabakaran
Government Advocate
For R4 : Mr.R.Hemavathi

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 to 3 to consider the representation dated 14.06.2019 submitted by the petitioner and pass orders.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. A perusal of the counter filed by the third respondent reveals that the petitioner was appointed as Post Graduate Assistant (Economics) and subsequently promoted to the post of Assistant Headmaster. Thereafter, he attained the age of superannuation and retired from service on 30.06.2010. The fourth respondent suspended the petitioner from service on 01.06.2010 for unauthorised absence from duty without any prior intimation from 22.02.2010. Further, he attained the age of superannuation, he did not extend of his service and requested to allow him to retire from service.

4. Accordingly, the fourth respondent passed a resolution on 28.06.2010 and decided to permit the petitioner to retire from service on



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30.06.2010. The period of unauthorised absence was adjusted to his medical leave based on his medical certificate and also treated as own leave. Accordingly, the basic pay and grade pay of the petitioner had been revised as per GO.Ms.No.237, dated 22.07.2013 with effect from 01.04.2013 with 3% revision of his pay. Thereafter, the petitioner filed a writ petition before this Court in W.P.No.11829 of 2010 and this Court dismissed the writ petition as infructuous since the petitioner admitted his guilt and undertook to withdraw the petition. After a decade, the petitioner making allegations as against the fourth respondent.

5. In view of the above, the representation submitted by the petitioner cannot be considered. Thus, the writ petition is devoid of merits and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

01.10.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No

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To
1.The Secretary,
School Education Department,
Fort St.George,



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Chennai - 600 009.

2.The Director of School Education,
D.P.I.Campus,
College Road, Chennai - 600 006.

3.The Chief Educational Officer,
Chennai District,
Egmore,
Chennai - 600 008.



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G.K.ILANTHIRAIYAN, J.

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