



WEB COPY

W.P.No.20011 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.20011 of 2021

and

W.M.P.Nos.21275 & 21276 of 2021

1.K.Kuppusamy

2.A.Saritha

... Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Fort St. George, Secretariat,
Chennai 600 009.

2. The Commissioner of School Education,
DPI Campus, College Road,
Chennai 600 006.

3.The State Project Director,
Samagra Shiksha Abhiyan,
(Integrated School Education),
DPI Campus, College Road,
Chennai-6.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned order issued by the 1st respondent G.O.(1D) No.134, School Education Department dated 18.08.2021 in so far as Clause 4(I)(2) relating to declaration of Zero vacancy is concerned and to quash.



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For Petitioners : Mr.S.Nedunchezhiyan
For Respondents : Mr.K.H.Ravikumar,
Government Advocate

ORDER

The learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition insofar as the 2nd petitioner is concerned. Accordingly, the writ petition is dismissed as withdrawn insofar as the said writ petitioner is concerned.

2. It is brought to the notice of this Court that the validity of the very same impugned order i.e., G.O (1D) No.134, School Education Department dated 18.08.2021, insofar as clause 4(i)(அ)(உ)&(ஈ) was already decided by a learned Division Bench of this Court in W.A (MD) No.2230 of 2023 by an order dated 07.11.2023 and the SLP filed there-against was also dismissed by the Hon'ble Apex Court by an order dated 05.01.2021.

3. This Court after having perused the said order is fully convinced that the issue in this Writ Petition is squarely covered by the said orders passed by the learned Division Bench, as confirmed by the Hon'ble Apex Court.



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4. Insofar as the 1st petitioner is concerned, in the light of the above, the relief sought for in this Writ Petition cannot be granted and nothing survives for adjudication and the same is accordingly dismissed. However, the petitioner is permitted to continue in his respective place till 31.08.2024 and thereafter, he shall join in his respective transferred place. In the meanwhile, the petitioner is at liberty to participate in the ensuing transfer counselling if he is otherwise eligible to participate in such counselling.

5. In view of the above, the writ petition is dismissed as withdrawn insofar as the 1st petitioner is concerned and insofar as the 2nd petitioner is concerned the writ petition is dismissed on merits. No costs. Connected Miscellaneous Petitions, if any shall stand closed.

02.07.2024

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dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

dpa

To

1. The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Commissioner of School Education,
DPI Campus, College Road, Chennai 600 006.
3. The State Project Director,
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