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W.P.Nos.29801, 30075 & 31914 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.Nos.29801, 30075 & 31914 of 2014

W.P.No.29801 of 2014:

K.P.Sivakumar

... Petitioner

Vs.

1.Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.

2.Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK SampathMaaligai,
DPI Compound,
College Road,
Chennai – 600 006.

3.The Director
Directorate of School Education,
DPI Campus,
68, College Road,
Chennai – 600 006.

4.Principal Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat,
Chennai 600 009.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to order Na.ka.No.030065/VI/E2/2013 dated 23.05.2013 issued by the 3rd respondent and quash the same and direct the 1st respondent to pass order under the G.O.Ms.No.151 dated 16.10.2008 issued by the 4th respondent to protect the rights of the petitioner under the Persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, in the light of the impleadment allowed by the Honourable Supreme Court in I.A.No.6 of 2014 in Civil Appeal CC No. 3342 of 2014 by its order dated 07.03.2014 and consequently direct the respondents to reinstate the petitioner to the post from which he was terminated from the service and regularize the same in regular scale of pay without break in service with all consequential benefits.

W.P.No.30075 of 2014:

K.Devan

... Petitioner

Vs.

1.Principal Secretary to Government,
School Education Department,
Secretariat,

Chennai – 600 009.

2.Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK SampathMaaligai,
DPI Compound,
College Road,
Chennai – 600 006.



3.The Director
Directorate of School Education,
DPI Campus,
68, College Road,
Chennai – 600 006.

4.Principal Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat,
Chennai 600 009.

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to pass order under the G.O.Ms.No.151 dated 16.10.2008 issued by the 4th respondent to protect the rights of the petitioner under the Persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, in the light of the impleadment allowed by the Honourable Supreme Court in I.A.No.6 of 2014 in Civil Appeal CC No.3342 of 2014 by its order dated 07.03.2014 and consequently to direct 1st respondent to reinstate the petitioner to the post from which he was terminated from the service and regularize the same in regular scale of pay without break in service with all consequential benefits.

W.P.No.31914 of 2014:

S.Suresh

... Petitioner

Vs.

1.Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.



2. Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK SampathMaaligai,
DPI Compound,
College Road,
Chennai – 600 006.

3. The Director
Directorate of School Education,
DPI Campus,
68, College Road,
Chennai – 600 006.

4. Principal Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat,
Chennai 600 009.

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to pass order under the G.O.Ms.No.151 dated 16.10.2008 issued by the 4th respondent to protect the rights of the petitioner under the Persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, in the light of the impleadment allowed by the Honourable Supreme Court in I.A.No.6 of 2014 in Civil Appeal CC No.3342 of 2014 by its order dated 07.03.2014 and consequently to reinstate the petitioner to the post from which he was terminated from the service and regularize the same in regular scale of pay without break in service with all consequential benefits.



In all W.P.s

For Petitioner	: No appearance
For R1, R3 and R4	: Mr.K.H.Ravi Kumar Government Advocate.
For R2	: Mr.C.Kathiravan

ORDER

These writ petitions have been dismissed for non-prosecution on an earlier occasion, i.e., 05.01.2023. However, the same were restored pursuant to an application filed by the petitioners.

2. When these matters came up for consideration before this Court, the matters were adjourned on three occasions at the instance of the learned counsel for the petitioners. However, when these matters were listed on 29.11.2024, there was no representation for the petitioners. Hence, the matters were directed to be listed under the caption 'for dismissal' today. In spite of these matters being listed under the caption 'for dismissal', there is no representation for the petitioners either in the pre-lunch session or post-lunch session.

3. In the circumstances, this Court is left with no other option except to dismiss the writ petitions for non-prosecution. Accordingly, the



same are dismissed for non-prosecution. The connected miscellaneous petitions, if any, shall stand closed. No costs.

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10.12.2024

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.
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4th Floor, EVK SampathMaaligai,
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