



WEB COPY



W.A.No.2509 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2024

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.A.No.2509 of 2023
AND
C.M.P.No.20985 of 2023

1.District Elementary Educational Officer
District Elementary Education Office
Vellore Fort
Vellore 4

2.The Assistant Elementary Educational Officer
Wallajah West Range
Wallajahpet
Vellore District

3.The Director of Elementary Education
College Road, DPI Campus
Chennai 600 006

.. Appellants

Vs.

G.Thamaraiselvi

.. Respondent

Writ Appeal filed under Clause 15 of the Letters Patent Act, against the order dated 04.07.2022 passed in W.P.No.4747 of 2018.



W.A.No.2509 of 2023

For Appellants : Mr.U.M.Ravichandran
Special Government Pleader
For Respondent : Mr.R.Subramanian

JUDGMENT

(Judgment of the Court was delivered by R. MAHADEVAN, J.)

Challenging the order dated 04.07.2022 passed by the learned Judge in W.P.No.4747 of 2018, allowing the claim of the writ petitioner with respect to revision of her seniority, the State has preferred this writ appeal.

2.The matter relates to fixing of seniority. According to the respondent herein, seniority must be fixed based on the seniority fixed as per the merit list released by the Teachers Recruitment Board at the time of selection and appointment of the respondent in the year 1995. The learned Judge referred to the letter of the Directorate of Elementary Education dated 11.06.2007, which was in-fact quoted in the order impugned in the writ petition. In Paragraph-4 of the said letter dated 11.06.2007, it was made clear that once a teacher has been appointed in any other District than the home District and thereafter if he/she seeks transfer for the home District and if such transfer is effected, the one time seniority fixed by the TRB at the time of selection based on merits can very well be maintained for the transferred teacher in the transferred place, ie., the Union / District and once again if any other transfer is sought for, then only the



W.A.No.2509 of 2023

incumbent will lose his / her seniority and he / she will be placed in the junior most position of seniority. Taking note of the same, since this is a first time transfer, the learned Judge set aside the order impugned in the writ petition and passed orders remitting back the matter to the authorities for reconsideration. Challenging the order passed in the writ petition, the present appeal has been filed by the State.

3.Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for the appellants submitted that the order passed by the learned Judge has been complied with by the authorities and hence, nothing survives for further adjudication in this appeal.

4.The learned counsel appearing for the respondent also conceded the aforesaid submission made on the side of the appellant authorities.

5.In view of the above, the writ appeal stands dismissed as having become infructuous. No costs. Connected miscellaneous petition is closed.

[R.M.D, J.] [M.S.Q, J.]
28.02.2024

Neutral Citation : Yes/No
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W.A.No.2509 of 2023

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