



W.P.No.22164 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22164 of 2024 and
WMP.No.24145 of 2024

R.Krishnasamy

... Petitioner

Vs

1.The State

Rep. By The Secretary, Government of Tamilnadu,
Tamilnadu Private Schools,
Chennai

2.The Chief Educational Officer,
Salem

3.The District Educational Officer(Secondary),
Salem

4.The Secretary,
Gokulanatha Hindu Mahajana Higher Secondary School,
Salem

5.The Headmaster,
Gokulanatha Hindu Mahajana Higher Secondary School,
Salem

6.The Committee President,
Gokulanatha Hindu Mahajana Higher Secondary School,
Brets Road,
Salem 636 001

..... Respondents

Prayer :

Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Mandamus directing the respondents



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2 & 6 to extend the petitioner service term from 01.08.2024 to till academic year 31.05.2025 as Post Graduate Teacher, Tamil in the respondent 4 to 6 School after the retirement from 31.07.2024 as per the proceedings of the third respondent in O.Mu.No.6897/A2/2024 dated 24.07.2024.

For Petitioner : Mr.M.Vivekanandan

For Respondents

For R1 to 3 : Mrs.P.Rajeswari,
Government Advocate

For R4 to 6 : Mr.Suresh Kumar

ORDER

This writ petition is filed for direction to the respondents 2 to 6 to extend the petitioner's service term from 01.08.2024 till the end of the academic year i.e. 31.05.2015 as Post Graduate Teacher in Tamil.

2. The petitioner had joined in the service of the respondents 4 to 6 School on 01.10.2007 as Bachelor Grade Teacher in Tamil. Thereafter, he was promoted to the post of PG Assistant in Tamil. Due to his attainment of age of superannuation, he was permitted to retire from service and accordingly, he was relieved from service on 31.07.2024.

3. The learned counsel for the petitioner would submit that the



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date on which the petitioner attains superannuation ended in the middle of the academic year and as such, as per GO.No.261 School Education Department dated 20.12.2018, the petitioner is entitled to continue till 31.05.2025 as Post Graduate Teacher in Tamil. He further submitted that the petitioner fulfilled all the conditions and as such, the respondents ought to have permitted the petitioner to continue the service till the end of the academic year.

4. On instruction, the learned counsel for the respondents 4 to 6 would submit that even before his retirement, the School Committee convened a meeting and decided not to continue the service of the petitioner till the end of the academic year i.e. till 31.05.2025. Further, the petitioner failed to perform his duty during his service. In fact, so many students of 11th std and 12th std failed in Tamil subject, in which the petitioner was the teacher. Therefore, the performance of the petitioner was not satisfied with the respondents and as such, they decided not to continue his service till the academic year.

5. It is seen that as per GO.No.261 School Education



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Department dated 20.12.2018, it is clear that the petitioner shall fulfill two conditions i.e. his conduct and his fitness. Further, even before his retirement, the proposal to be sent by the school management to the educational authorities to continue his service till the end of the academic year. Respondents 4 to 6 already convened meeting and decided not to send any proposal for continuance of the petitioner's service till the end of the academic year on various grounds. That apart, the petitioner was relieved on 31.07.2024 by respondents 4 to 6 herein. Therefore, the request made by the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

01.08.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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