



W.A.(MD) No.2161 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD)No.2161 of 2024
and
C.M.P.(MD) No.15212 of 2024**

- 1.The Govt. of Tamil Nadu,
Rep. by its Additional Chief Secretary,
Department of School Education,
Fort St.George, Chennai 9.
- 2.The Director of Elementary Education,
DPI Campus College Road,
Chennai - 6.
- 3.The District Educational Officer Elementary,
The Office of the District Educational Officer,
Dindigul.
- 4.The Block Educational Officer,
The Office of the Block Educational Officer,
Athur, Office at Sempatti, Dindigul.

... Appellants

-VS-

- 1.V.Jospeh Sahayaraj



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2.The Correspondent,
R.C. Middle School,
Ariyanallur,
Dindigul District - 624 303.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 13.12.2023 made in W.P.(MD).No.29277 of 2023.

For Appellants : Mr.S.R.A.Ramachandran,
Addl. Government Pleader.

For Respondents : Mr.S.Savarimuthu,
For M/s.Father Xavier Associates for R1.
No appearance for R2.

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

This writ appeal has been filed to help the wholly inactive officials of the education department. All that the Writ Court has done is to direct the fourth appellant to grant approval on being satisfied that there are no surplus teachers in the school. Since no orders were passed within the time frame fixed by the learned Single Judge, Cont.P.(MD)No.690 of 2024 was filed by the respondent herein. Sensing trouble, this writ appeal has been filed only to wriggle out of the consequences of contempt.



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2. Though this writ appeal has been presented with a delay on 15.04.2024, no action has been taken to determine as to whether there are surplus teachers in the school or not. We will be committing a crime if we are to entertain such appeals which will aid disobedience of the orders of this Court. Hence, the writ appeal is dismissed. We refrain from imposing cost since we find that the no amount of such imposition of cost will reform this particular department namely, the education department. We make it clear that we are not extending the time granted by the learned Single Judge for complying with his order and if the order has not been complied within the time granted by the learned Single Judge, the learned Single Judge will be at liberty to proceed in contempt and pass appropriate orders. We make it clear that the salaries of the teachers shall be paid from the date of appointment upon approval. No costs. Consequently, connected miscellaneous petition is closed.

NCC : No
Index : No
ias

[R.S.M., J.] [L.V.G., J.]
29.10.2024



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