



W.P(MD)No.14779 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.14779 of 2024

A.Ramakrishnan

... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by its Secretary to Government,
School Education Department,
Fort St.George, Chennai-600009.
2. The Director of School Education,
College Road,
Chennai-600006.
3. The Chief Educational Officer,
Tenkasi District,
Tenkasi.
4. The District Educational Officer,
O/o.District Education,
Tenkasi.
5. The Secretary,
Chatram Bharathi Higher Secondary School,
Kadayam, Tenkasi District-627001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the fifth



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respondent to forward the representation of the petitioner dated 12.06.2024 to the third respondent after accepting the application the third respondent may be considered and pass orders in the light of G.O.No.261 dated 20.12.2018 by retaining the petitioner as P.G.Assistant (Zoology) till the end of the academic year.

For Petitioner : Mr.K.Vadivelu

For R1 to R4 : M.Siddharthan
Additional Government Pleader

ORDER

The Writ Petition has been filed seeking a Writ of Mandamus directing the fifth respondent to forward the representation of the writ petitioner dated 12.06.2024 to the third respondent and after accepting the application, the third respondent may be considered the same and pass orders in the light of G.O.No.261 dated 20.12.2018 by retaining the writ petitioner as P.G.Assistant (Zoology) till the end of the academic year.

2. Mr.M.Siddharthan, learned Additional Government Pleader takes notice for the respondents 1 to 4. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. It is not in dispute that the writ petitioner is working as P.G. Assistant in the fifth respondent School and is going to attain superannuation on 31.08.2024.

4. The learned counsel appearing for the writ petitioner would submit that the writ petitioner is entitled to get the benefit of G.O. (Ms)No.261, School Education (Pa.Ka.5(2)) Department, dated 20.12.2018, wherein, the teachers, who are retiring in the middle of the year, are to be re-employed till the end of the next academic year.

5. The learned counsel appearing for the writ petitioner would further submit that the writ petitioner has submitted a representation dated 12.06.2024 to the fifth respondent.

6. The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the fifth respondent has not so far forwarded the writ petitioner's representation and in case, if the representation is forwarded, they are ready to consider the same on merits and in accordance with the above said G.O.



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7. Since the writ petitioner's representation is now pending before the fifth respondent, the fifth respondent is directed to forward the writ petitioner's representation dated 12.06.2024 to the third respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same on merits and in accordance with G.O.(Ms)No.261, School Education (Pa.Ka.5(2)) Department, dated 20.12.2018 and pass orders within a period of two weeks thereafter.

8. With the above directions, this Writ Petition is disposed of. No costs.

05.07.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
csm

Note : Issue order copy on 08.07.2024

To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,



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Fort St.George, Chennai-600009.

2. The Director of School Education,
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3. The Chief Educational Officer,
Tenkasi District,
Tenkasi.
4. The District Educational Officer,
O/o.District Education,
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5. The Secretary,
Chatram Bharathi Higher Secondary School,
Kadayam, Tenkasi District-627001



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K.MURALI SHANKAR, J

csm

**Order made in
W.P.(MD)No.14779 of 2024**

Dated : 05.07.2024