



W.P.(MD)No.15694 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

**W.P.(MD)No.15694 of 2024
and WMP(MD)No.13683 of 2024**

C.Manonmony

.. Petitioner

Vs.

1.The Director of School Education,
O/o. Director of School Education,
DPI Complex, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
O/o. The Chief Educational Officer,
Nagercoil District.

3.The District Educational Officer,
O/o. The District Educational Office,
Marthandam,
Kanyakumari District.

4.The Correspondent,
Mar Mathew Kavukattu Memorial High School,
Varuthattu,
Methukammal Post,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents to provide the reemployment to the petitioner from 01.08.2024 till the end of academic year 2024-2025 and to pay all the monetary benefits by consonance with the G.O.Ms.No.261 School Education Department dated 20.12.2018 within the period that may be stipulated by this Court.

For Petitioner : Mr.S.Mohamed Suhail
for M/s.Ajmal Associates

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R1 to R3

ORDER

Heard Mr.S.Mohamed Suhail, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

2. The petitioner, who has been working as BT Assistant(History) in the 4th respondent School is going to attain the age of superannuation on 31.07.2024, which falls in the middle of the academic year. The petitioner has rendered an impeccable service for nearly about 25 years. Hence, she is entitled to get extension of service till the completion of the academic year in accordance with G.O.Ms.No.261 School Education



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Department dated 28.06.2018 and G.O.Ms.No.115 School Education

Department, dated 28.06.2022. The petitioner made a representation to the 4th respondent on 09.04.2024. Since the 4th respondent did not take any steps to forward the said representation, the petitioner has made another representation to the other respondents on 12.06.2024. But the said representation was also not considered so far, hence, the petitioner is before this Court.

3. As per the Government Order in G.O.Ms.No.261, School Education Department, dated 20.12.2018, when a teacher attains superannuation during the academic year, the service of the said teacher can be retained till the completion of the academic year, provided (1) the conduct and character of the teacher is satisfied, (2) the teacher concerned is physically fit to continue till the end of the academic year and (3) no disciplinary proceedings is pending against the teacher. Since the petitioner was well within the above parameters, she is eligible to get extension till the end of the academic year. The representation sent by her in this regard is kept pending without consideration by the respondents. Hence, it is appropriate to direct the authorities concerned to consider the said representation within a specific time.



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4. In the light of the above observations, this writ petition is **disposed of** and the respondents herein are directed to consider the petitioner's representations dated 09.04.2024 & 12.06.2024 on its own merits and in the light of G.O.Ms.No.261, School Education Department, dated 20.12.2018 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits. No Costs. Consequently, connected miscellaneous petition is closed.

12.07.2024

Index : Yes / No
NCC : Yes / No
PJJ

To

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2.The Chief Educational Officer,
O/o. The Chief Educational Officer,



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Nagercoil District.

3.The District Educational Officer,
O/o. The District Educational Office,
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R.N.MANJULA, J.

PJL

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