



W.P.(MD)No.18105 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18105 of 2023
WMP(MD).Nos.15113 & 15114 of 2023

Mrs.Adela Elfride Samhenry

... Petitioner

vs.

1.The Chief Educational Officer
Office of the Chief Educational Officer
Nagercoil, Kanyakumari District

2.The District Educational Officer
Office of the District Educational Officer
Nagercoil, Kanyakumari District

3.The Corporate Manager
CSI Corporate Management of Schools
CSI Diocesan Office
71A, Dennis Street
Nagercoil 629 001
Kanyakumari District

4.The Correspondent
Dethie Higher Secondary School for Girls
Nagercoil
Kanyakumari District



W.P.(MD)No.18105 of 2023

WEB COPY

5.The Administrative Committee
Represented by the Administrative Secretary
CSI Diocesan Office
71A, Dennis Street, Nagercoil 629 001
Kanyakumari District

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to give reemployment to the petitioner as Junior Grade B.T.Assistant in Duthie Higher Secondary School, Nagercoil in terms of GO(Ms).No.261, School Education Department dated 20.12.2018 and GO(Ms).No.115 School Education Department dated 28.06.2022 considering the request of the petitioner before the date of retirement ie. 31.07.2023.

For Petitioner	: Mr.Aayiram K.Selvakumar
For Respondents	: Mr.N.Satheesh Kumar
	Additional Government Pleader for R1 & R2
	:Mr.S.C.Herold Singh for R3 & R4

ORDER

The instant writ petition has been filed by a Junior Grade B.T.Assistant working in the fourth respondent School seeking a mandamus to provide re-employment based on G.O.(Ms).No.261 School Education Department dated 20.12.2018 and G.O.(Ms).No.115 School Education dated 28.06.2022.



W.P.(MD)No.18105 of 2023

WEB COPY

2.The petitioner herein has attained superannuation on 31.07.2023. However, the School Management has not forwarded any proposal for her re-employment to the educational authority. Therefore, the petitioner was about to retire on 31.07.2023. The petitioner has given a representation on 09.05.2023. Since the said representation was not considered, the instant writ petition has been filed.

3.Pending writ petition, it is brought to the notice of this Court that the fourth respondent in the writ petition namely the School Management has passed an order on 28.08.2024 rejecting the request of the petitioner seeking re-employment. Therefore, the question of issuing the mandamus at this point of time does not arise.

4.In the result, this Writ Petition is disposed of with liberty to the writ petitioner to challenge the order dated 28.08.2024, if she is so advised. No costs. Consequently, connected miscellaneous petitions are closed.

24.10.2024

Intex : Yes/No
Internet : Yes/No
NCC : Yes/No



WEB COPY



W.P.(MD)No.18105 of 2023

To

1.The Chief Educational Officer
Office of the Chief Educational Officer
Nagercoil, Kanyakumari District

2.The District Educational Officer
Office of the District Educational Officer
Nagercoil, Kanyakumari District



WEB COPY



W.P.(MD)No.18105 of 2023

R.VIJAYAKUMAR, J.

msa

W.P.(MD)No.18105 of 2023
WMP(MD).Nos.15113 & 15114 of 2023

24.10.2024