



WEB COPY

W.P.(MD) No.12421 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.12421 of 2018

and

W.M.P.(MD) Nos.11288 & 11289 of 2018

Nadar Higher Secondary School
rep.by its Educational Agency
Thiru.M.V.C.Suriyan
Bazar Street, Thirumalapuram
Bodinayanakanur
Theni District

... Petitioner

-VS-

- 1.The Government of Tamil Nadu
rep.by its Secretary
School Education Department
Fort St.George, Chennai-9
- 2.The Director of School Education
DPI Campus, College Road
Chennai-600 006
- 3.The Joint Director of
School Education (Secondary)
DPI Campus, College Road
Chennai-600 006



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4.The Chief Educational Officer
Theni
Theni District

5.The District Educational Officer
Uthamapalayam
Theni District

6.The Head Master
Nadar Higher Secondary School
Bazar Street
Thirumalapuram
Bodinayakanur
Theni District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records on the file of the second respondent pertaining to its order bearing Na.Ka.No. 56610/D1/E4/2017, dated 22.08.2017, and the consequential order of deployment of the fourth respondent in Na.Ka.No.4249 A5/2017, dated 04.10.2017 in so far as declaring 1 B.T.Assistant teacher along with post (Tamil) as surplus in the petitioner's school.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 to R5
No appearance for R6



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ORDER

On the last hearing date i.e., on 05.08.2024, when the matter was taken up for hearing, learned Government Advocate appearing for the official respondents submitted that prior to the filing of this writ petition, the deployed teacher has joined the sixth respondent – Institution in the year 2017 itself. Therefore, according to him, nothing survives for further adjudication in this writ petition. Since the learned counsel for the petitioner sought time to get instructions with regard to the same, the matter was directed to be posted today.

2. Learned counsel for the petitioner is unable to report to this Court today as to whether the above submissions made by the learned Government Advocate appearing for the official respondents on the last hearing date are true or not, despite having been granted an opportunity for the same on the last hearing date i.e., on 05.08.2024. This writ petition is of the year 2018. This Court, therefore, will have to accept the submissions made by the learned Government Advocate appearing for the official respondents that this writ petition has now become infructuous.



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3. Accordingly, this writ petition is dismissed as infructuous. In case of increase of students' strength in the petitioner – School, the petitioner – School is granted liberty to approach the official respondents for redeployment of the post. No costs. Consequently, connected miscellaneous petitions are closed.

08.08.2024

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

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To:

- 1.The Secretary,
School Education Department,
Government of Tamil Nadu,
Fort St.George, Chennai-9.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 3.The Joint Director of
School Education (Secondary),
DPI Campus, College Road,
Chennai-600 006.
- 4.The Chief Educational Officer
Theni
Theni District



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5.The District Educational Officer
Uthamapalayam
Theni District



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ABDUL QUDDHOSE, J.

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W.M.P.(MD) Nos.11288 & 11289 of
2018

08.08.2024