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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

WP NO. 22456 of 2016

AND

WMP Nos. 19166 & 19167 of 2016

P.Johnson Joseph,
S/o.J.Ponmoni, Physical Director, SBOA School
& Junior College, 18, School Road, Anna Nagar
West Extension, Chennai-600 101.

Petitioner(s)

Vs

1.The Central Board of Secondary Education,
Rep.by its Secretary, Office at Plot No.1630 A,
"J" Block, 16th Main Road, Anna Nagar,
Chennai-600 040.

2. The Secretary & Correspondent,
SBIOA Education Trust, SBOA School & Junior College,
18, School Road, Anna Nagar West Extension,
Chennai-600 101.

3. The Principal,
SBOA School & Junior College, 18, School Road,
Anna Nagar West Extension, Chennai-600 101.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent in SBIOA/COR/902/2016/S6(JC) dated 10.03.2016 and to quash the same and consequently, direct the respondents to allow the petitioner to



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continue in service till reaching the age of 60 years or in alternative till the end of the academic year 2016-17 with consequential benefits.

For Petitioner(s):

Mr. S.Balasubramanian

For Respondent(s):

Mr.A.Emmanuel for R1

Mr.C.Jagadish for R2 & 3

ORDER

The Writ Petition has been filed seeking for issuance of a Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent in SBIOA/COR/902/2016/S6(JC) dated 10.03.2016 and to quash the same and consequently, direct the respondents to allow the petitioner to continue in service till reaching the age of 60 years or in alternative till the end of the academic year 2016-17 with consequential benefits.

2. Heard the leaned counsel for the petitioner and the learned counsel for the respondents and perused the entire material placed on record.

3.The learned counsel for the respondents 2 & 3 would submit that as



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per the regulations of the School, which were approved by the first respondent, the retirement age of the teachers in the second respondent School is 58 years but the petitioner seeking retirement at the age of 60 years, which is against to the regulations. He further submits that after retirement, all the pensionary benefits were settled to him and during the pendency of the Writ Petition, the petitioner had died and his wife also pre-deceased him.

4.The learned counsel for the petitioner would submit that the petitioner has submitted a representation on 21.05.2016, to the respondents to allow him to continue his services till reaching the age of 60 years on par with the Central Government employees, whose retirement age is 60 years.

5.Having considered the submissions of the respective counsel and on perusal of the material available on record, this Court is unable to accept the contention of the learned counsel for the petitioner in view of the fact that as per the regulations of the second respondent school, which were approved by the second respondent that the retirement age of the teachers in the second respondent school is 58 years and as such, the petitioner is not



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entitled to request the respondents to consider him on par with the Central Government employees. Besides this, it is represented by the learned counsel for the second respondent that the petitioner had died during the pendency of the Writ Petition.

6.In view of the above factual position, this Writ Petition fails and accordingly, it is dismissed.

No costs.

Consequently connected miscellaneous petitions are closed.

07.07.2025

Index : Yes/No
Speaking order: Yes/No
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BATTU DEVANAND, J



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Writ Petition No.22456 of 2016

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