



Rev.Aplc(md)No.44 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.03.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

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Koori

... Petitioner

Vs.

1.The Joint Director of Aided Elementary Education,
College Road, Chennai-6.

2.The District Elementary Educational Officer,
R.M.S. Road, Madurai - 6.

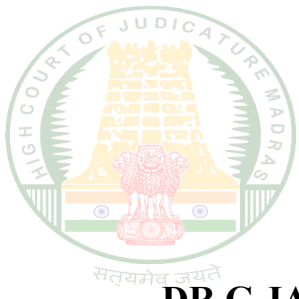
3.The Assistant Elementary Educational Officer,
Madurai East, Madurai.

... Respondents

PRAYER: Review Petition filed under Section 114 and Order 47 Rules 1 and 2 of the Code of Civil Procedure to review the order dated 03.10.2019 in W.A. (MD)No.1337 of 2017 on the file of this Court.

For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.D.Ghandiraj
Special Government Pleader



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ORDER

DR.G.JAYACHANDRAN, J.

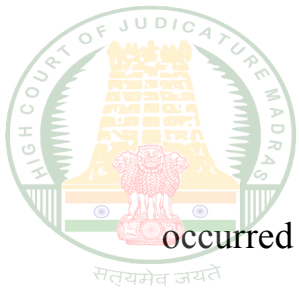
AND

R.POORNIMA, J.

The Review Petition is filed challenging the order passed by the learned Single Judge allowing the Writ Petition in W.P.(MD)No.5181 of 2013 on 28.03.2017 with the following directions:

- "(a) the writ petition is allowed by setting aside the order passed by the 2nd respondent in एम.एच.नं.5781/अ/2012, dated 04.07.2012;*
- (b) the 2nd respondent is hereby directed to approve the appointment of petitioner K.Koori as a Primary School Teacher in the Hindu Aided Primary School, Mangulam, Madurai with effect from 01.06.2012 and pay all the service benefits;*
- (c) the 2nd respondent is hereby directed to complete the said exercise within a period of eight weeks from the date of receipt of a copy of this order. No costs"*

2. Not being satisfied with the above directions, the State has preferred an Intra Court Appeal in W.A.(MD)No.1337 of 2017 before the Division Bench of this Court, wherein, this Court allowed the appeal and set aside the directions issued by the learned Single Judge. At the same time, the Division Bench has also observed that, it is open to the writ petitioner to pursue his claim before the respondents therein and get his appointment approved in the vacancy, which has



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occurred on account of transfer of Gurusamy. Not being satisfied with the said liberty given, the Writ Petitioner has preferred an SLP and the same got dismissed.

Thereafter, the present Review Petition is filed with a delay of 1893 days, taking advantage of the observations made by the Supreme Court while dismissing the SLP. This Court finds no reason to review the order passed.

3. However, taking into account the fact that the Block Development Officer, Madurai has addressed a letter to the District Educational Officer by proceedings dated 20.01.2020 to consider the appointment of the writ petitioner in the place of vacancy that arose due to the retirement of Gurusamy and it appears to be pending consideration, this Court makes it clear that if any such application is pending, the dismissal of the Review Petition shall not be a ground to reject the same.

4. With the above observations, the Review Petition is dismissed. No costs.

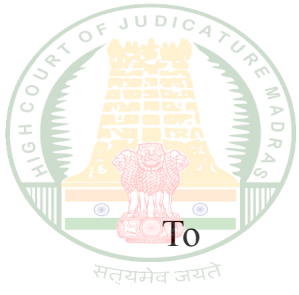
[G.J., J.] & [R.P., J.]

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NCC : Yes / No

Index : Yes / No

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