



W.P.(MD)No.13831 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.13831 of 2021

and

W.M.P.(MD)Nos.10798, 10800 & 10801 of 2021

T.Mebal Thanga Vijila

: Petitioner

Vs.

1.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

2.The District Educational Officer,
Valliyoor,
Tirunelveli District.

3.The Block Educational Officer,
Kalakadu, Nanguneri Taluk,
Tirunelveli District.

4.The Correspondent,
T.D.T.A. Middle School,
Idayankulam, Nanguneri Taluk,
Tirunelveli District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned proceedings of the third respondent in Na.Ka.No.185/A2/2020 dated 05.01.2021 quash the same as illegal and consequently direct the respondents to regularize the service of the petitioner as Secondary Grade Teacher with effect from 05.10.2017 with all consequential monitory and service benefits.

For Petitioner : No appearance
For Respondents 1 to 3 : Mr.S.Shaji Bino,
Special Government Pleader
For Respondent No.4 : No appearance

ORDER

The petitioner's request for granting approval to the post of Secondary Grade Teacher has been rejected under the impugned order on the ground that there are surplus teachers in the fourth respondent school management.

2.Learned Special Government Pleader appearing for the respondents 1 to 3 had placed on record on 03.09.2025, when the



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matter was earlier listed before me, a Division Bench Judgement of this Court dated 27.11.2024 passed in W.A.(MD)No.1011 of 2019 in support of his stand that when surplus teachers are working in the same management, they have to be re-deployed and the management cannot make further appointments. Therefore, according to him, approval has been rightly rejected for the petitioner in view of the fact that surplus teachers are available in the same management of the fourth respondent corporate management.

3.On 03.09.2025, when the matter was heard by this Court, there was no representation on the side of the fourth respondent school, despite service of notice in this Writ Petition on the fourth respondent school. Therefore, learned Counsel for the petitioner submitted that the petitioner shall inform the fourth respondent school about the pendency of this Writ Petition and request the fourth respondent school to enter appearance in this Writ Petition to support the case of the petitioner. On the request of the learned Counsel for the petitioner, the matter was adjourned for hearing to 10.09.2025. On 10.09.2025, when the matter was listed before me for the second time, learned Counsel for the petitioner failed to produce any acknowledgment from the fourth respondent school for having intimated the fourth respondent school about the pendency of



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this Writ Petition and also the next hearing date. Therefore, once again the learned Counsel for the petitioner sought for an adjournment to enable him to inform the fourth respondent school. Therefore, on the request made by the learned Counsel for the petitioner, the matter was adjourned for hearing to this date.

4.Today, there is no representation on the side of the petitioner. Learned Counsel for the petitioner has also not filed any proof for having served the notice on the fourth respondent school, intimating the next date of hearing of this Writ Petition.

5.For the foregoing reasons, it can now be inferred that the petitioner is not interested in prosecuting this Writ Petition. Accordingly, this Writ Petition is dismissed for non-prosecution. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.09.2025

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



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To

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- 3.The Block Educational Officer,
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ABDUL QUDDHOSE., J.

MR

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