



W.P.(MD)No.27856 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27856 of 2022

and

W.M.P.(MD)Nos.21943 and 21944 of 2022

V.Selvi

... Petitioner

versus

1. The Commissioner of School Education,
Chennai – 6.
2. The Chief Educational Officer,
Dindigul District.
3. The District Educational Officer,
Palani,
Dindigul District.
4. The Headmaster,
Government Higher Secondary School,
Thoppampatti,
Palani Taluk,
Dindigul District.

... Respondents



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Writ Petition filed under Article 226 of Constitution of India, seeking

for the issuance of Writ of Certiorari, to call for the records pertaining to the order passed by the 2nd respondent in his proceedings in No.Nil dated Nil insofar as inclusion of the petitioner's name in Serial No.18 is concerned and quash the same.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner, who is working as B.T. Assistant (Maths) in the 4th respondent School, has filed this writ petition as against the proceedings issued by the second respondent in the year 2022. The second respondent/the Chief Educational Officer has prepared a list of surplus Teachers, wherein, the petitioner's name has been reflected. Therefore, the petitioner is before this Court.



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2. Today, when this writ petition is taken up for hearing, the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents submits that the list is only a tentative list and it has not been effected. Further, the petitioner is still continuing in the same school and therefore, the question of surplus Teachers does not arise as on date.

3. However, a counter affidavit has been filed in this writ petition. From the counter affidavit, it appears that the students strength was drastically reduced in the 4th respondent school during the Academic Year 2021-2022. Therefore, the Teachers in the grade of B.T.Assistant were declared as surplus as per the Rules.

4. When the counter reads that the students strength was drastically reduced in the year 2021-2022, now, the Department is taking a different stand that it is only a draft list. It is not known as to how the Department is functioning.



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5. Since the Department is now taking a stand that the impugned proceedings is only a draft list and the Superintendent of Chief Educational Office, who is present before this Court, has also given a statment that the petitioner was not found surplus and she is still working in the 4th respondent School, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

02.01.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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