

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.18816 of 2016

Kasturba Gandhi National Memorial Trust,
(Tamil Nadu)
Kasturbagram Post,
Arachalur Via, Erode Dist. - 638 101.
Rep. By its Advisory Committee
President Mr.S.N.Balasubramanian

... 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,
College Road, Chennai

3.The Chief Educational Officer,
Erode District, Erode.

4.The District Educational Officer,
Erode District, Erode.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to approve the appointment of S.Periyasamy as a Watchman and pay the salary with effect from 16.09.2015 for the appointment made by the petitioner Trust School or any other suitable order.

For petitioner : Mr.K.Sathish Kumar
For Respondents : Mrs.P.Rajalakshmi,
Government Advocate

ORDER

By way of filing this writ petition, the petitioner Trust School seeks a direction to the respondents to approve the appointment of S.Periyasamy as a Watchman and pay the salary with effect from 16.09.2015 for the appointment made by them.

2. It is submitted by the learned counsel for the petitioner that a proposal dated 23.11.2015 sent by the petitioner Trust School has been returned by the fourth respondent on the ground that the School will have to fill up the said post through outsourcing in view of G.O.Ms.No.115, School Education Department, dated 30.05.2007. But, according to the petitioner, the very same G.O. was struck down by this Court in W.P.(MD) Nos.11481 of 2008 etc., dated 15.03.2016.

3. Thus, in view of the striking down of the said G.O., the petitioner is permitted to re-submit his application within a period of ten days from the date of receipt of a copy of this order, along with a copy of the order passed by this Court in W.P.(MD) Nos.11481 of 2008 etc., dated 15.03.2016, and on receipt of such application, the authority concerned is directed to pass orders on the same on merits and in accordance with law, within a period of three months thereafter, after affording a reasonable opportunity to the petitioner.

4. With the above direction, the writ petition stands disposed of. No Costs. WMP.No.16422 of 2016 is closed.

-s/d-

Assistant Registrar(CSIII)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to
The Government of Tamil Nadu,
Rep. By its Secretary,
School Education Department,
Fort St. George, Chennai - 9.

2.The Director of School Education,
College Road, Chennai

3.The Chief Educational Officer,
Erode District, Erode.

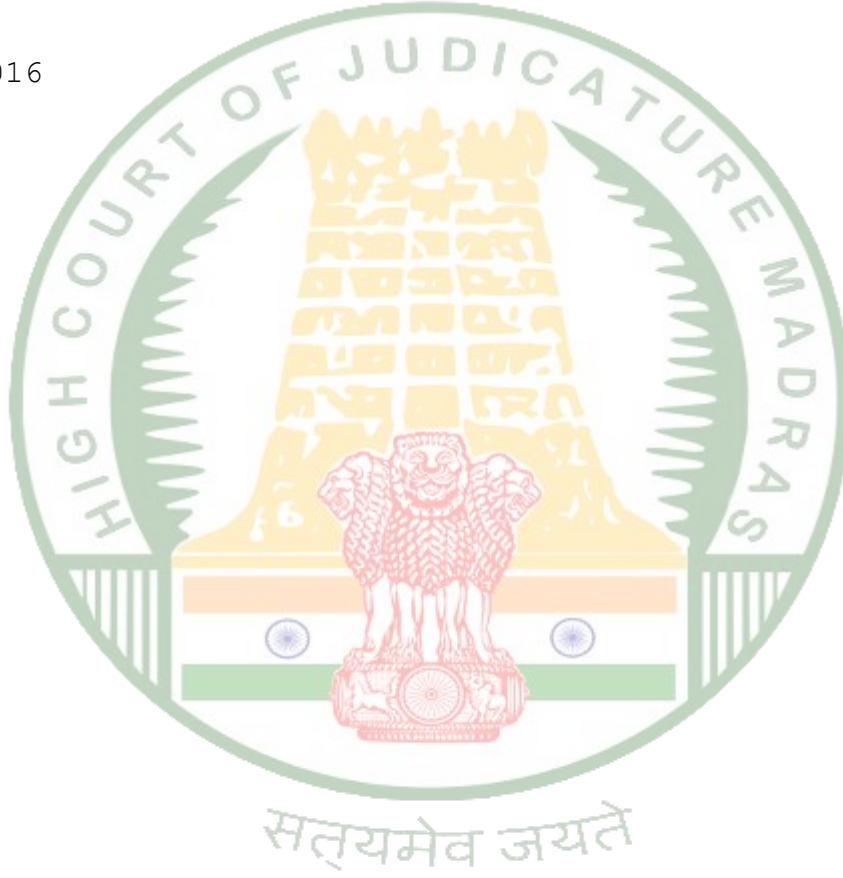
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4.The District Educational Officer,
Erode District, Erode.

+1 cc to Mr.K.Satish Kumar Advocate sr.32173
+1 cc to Government Pleader sr 32462

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aa28/06/2016



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