



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.18004 of 2013

and

M.P. (MD) No.1 of 2013

T.Muthuganesan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Through its Secretary,
School Education Department,
Fort St.George,
Chennai-600 009.

2.The Director of School Education,
College Road,
Chennai-600 009.

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

4.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

5.The Hindu Higher Secondary School,
represented by its Secretary,
Watrap-626 132,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned G.O.(MS) No.115 School Education Department dated 30.05.2007 issued by the first respondent r/w order bearing Oo.Mu.No.409/A4/2013 passed by the fourth respondent and quash the same and consequently direct the respondents 1 to 4 to approve the appointment of the petitioner as watchman of the fifth respondent school with effect from 07.06.2013 and all consequential benefits.



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For petitioner : Mr.T.Antony Arul Raj
For respondents : Mr.V.R.Shanmughanathan
Special Government Pleader
for R.1 to R.4
: No appearance for R.5

ORDER

This Writ Petition has been filed by the petitioner challenging G.O.(MS) No.115 School Education Department dated 30.05.2007.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Both the learned Counsel for the petitioner and learned Special Government Pleader appearing for the respondents fairly submitted that the said G.O.(MS) No.115 School Education Department, dated 30.05.2007 and another G.O.Ms.No.203 School Education Department, dated 23.07.2009 have already been quashed by the order of this Court in W.P.(MD)Nos.11481 of 2011 and batch cases, dated 15.03.2016 and as against that order, no appeal has been preferred and therefore, the said order passed by this Court has become final.

4. In view of the above,

(i) the Writ Petition is allowed.

(ii) The impugned order is set aside.

(iii) The respondents 1 to 4 are directed to approve the appointment of the petitioner as watchman of the fifth respondent school with effect from 07.01.2013 with all consequential benefits within a period of four weeks from the date of receipt of a copy of this order.

No costs. Consequently, Connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
The Government of Tamil Nadu,
School Education Department,
For to Mr. George,
Chennai-600 009.



2.The Director of School Education,
College Road,
Chennai-600 009.

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

4.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

+1cc to M/s.C.Fernandas Rathinaraja, Advocate SR.No.48035
+1cc to M/s.T.Antony Arul Raj, Advocate SR.No.48789
+1cc to Special Government Pleader SR.No.48576

W.P (MD) No.18004 of 2013

29.08.2016

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