



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.08.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.A.[MD].No.159 of 2016
and
C.M.P.(MD).No.760 of 2016

1. The State of Tamil Nadu
Rep. By the Principal Secretary to Government,
School Education Department,
Fort.St.George, Chennai - 600 009.
2. The Director of School Education,
College Road, Chennai - 600 006.
3. The Chief Educational Officer,
Madurai - 625 002.
4. The District Educational Officer,
Usilampatti - 625 532.
5. The Head Master,
G.M.Boys' Government Higher Secondary School,
Peraiyur, Madurai.

... Appellants/Respondents

Vs.

N.Chandralekha

... Respondent/Writ Petitioner

PRAYER : Writ Appeal is filed under Clause 15 of the Letters Patent, against the order passed by the learned Single Judge, dated 09.10.2012 in W.P.(MD)No.3359 of 2012.

Prayer in WP(MD). 3359/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to extend to the petitioner the benefit of G.O. Ms.No.258, School Education (M.1) Department dated 06.09.2010 which was implemented in pursuance of the order dated 14.07.2009 of the Honourable Division Bench in W.P. No.8747 of 2009 within a stipulated period.



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For Appellants : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

For Respondent : Mr.B.Alagarsamy
* * *

JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

This Writ Appeal is directed against the order dated 09.10.2012, made in W.P.(MD)No.3359 of 2012 filed by the respondent herein.

2. The said writ petition was filed for directing the appellants herein to extend the benefit of G.O.(Ms.)No.258, School Education (M1) Department, dated 06.09.2010. The said writ petition was taken up along with two other writ petitions. The learned Single Judge, following the earlier orders of this Court, directed the appellants herein to extend the benefit set out in the earlier Government Orders such as G.O.(Ms.)No.216, Finance Department, dated 22.03.1993 and G.O.(Ms.)No.258, School Education (M1) Department, dated 06.09.2010.

3. The learned Single Judge noted that the case of the writ petitioner was identical to those, in whose favour, the earlier orders were passed by this Court. In fact, the learned Additional Government Pleader appearing for the appellants herein did not contest the matter before the learned Single Judge. It cannot be disputed that writ appeals similar to the present one, were dismissed by the Division Bench of this Court on earlier occasions.

4. We find no merit in this writ appeal and the same is dismissed. The appellants are directed to comply with the direction given in the Writ Petition within a period of three months from the date of receipt of a copy of this order. No Costs. Consequently, the connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar



To

1. The Principal Secretary to Government,
State of Tamil Nadu
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5. The Head Master,
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Madurai.

+ 1 cc TO The Special Government Pleader in SR No. 73196

ls/gk

AE/SKN RSK/SAR1/06.12.2017/3P/7C

**W.A. [MD] .No.159 of 2016
17 August 2017**