

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.03.2018

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THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.Nos.5411, 5412, 5413 & 5414 of 2018
and W.M.P.Nos.6669, 6670, 6671 & 6672 of 2018

S.Padma	...	Petitioner in WP.5411/18
A.G.Samathanu Raju	...	Petitioner in WP.5412/18
D.Rachel Hepsibah	...	Petitioner in WP.5413/18
R.Sheeba Florence Mary	...	Petitioner in WP.5414/18

Vs

1. The Secretary,
Department of Education,
Government of Tamil Nadu,
Fort St. George, Chennai-9.
2. The Director of School Education,
DPI Compound, College Road,
Chennai-6.
3. The Chief Educational Officer,
Chennai Panagal Maligai,
Saidapet, Chennai-15.
4. The District Educational Officer,
Chennai [South],
Egmore, Chennai.
5. The Madras Christian College Hr. Sec. School,
Rep. by its Headmaster & Correspondent,
Door No.78, Harrington Road,
Chetpet, Chennai-31. ... Respondents in all WPs

W.P.Nos.5411 of 2018 :

Writ Petition filed under Article 226 of The Constitution of India seeking for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the two Impugned Orders dated 21.08.2017 and 27.11.2017 bearing O.Mu. No.2346/ A3/ 2017 and O.Mu.No.3322/ A3/ 2017 respectively passed by the 4th

Respondent and quash them and consequently direct Respondents (1) to (4) to approve the appointment of the petitioner as Graduate Teacher (English) designated earlier as B.T.Assistant (English), made by the 5th Respondent w.e.f. from 06.06.2017 considering the Judgment passed on 06.05.2014 by the Constitutional Bench of the Honourable Supreme Court in Pramati Educational & Cultural Trust Vs.Union of India reported in (2014) 8 SCC 1 and the proposal dated 30.10.2017 submitted by the 5th Respondent to the 4th Respondent.

W.P.Nos.5412 of 2018 :

Writ Petition filed under Article 226 of The Constitution of India seeking for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the two Impugned Orders dated 21.08.2017 and 27.11.2017 bearing O.Mu.No.2345/ A3/ 2017 and O.Mu. No.3320/ A3/ 2017 respectively passed by the 4th Respondent and quash them and consequently direct Respondents (1) to (4) to approve the appointment of the petitioner as Graduate Teacher (Tamil) designated earlier as Tamil Pandit made by the 5th Respondent with effect from 06.06.2017 considering the Judgement passed on 06.05.2014 by the Constitutional Bench of the Honourable Supreme Court in Pramati educational & Cultural Trust Vs.Union of India reported in (2014) 8 SCC 1 and the proposal dated 30/10/2017 submitted by the 5th Respondent to the 4th Respondent.

W.P.No.5413 of 2018 :

Writ Petition filed under Article 226 of The Constitution of India seeking for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the two Impugned Orders dated 31.08.2017 and 27.11.2017 bearing O.Mu. No.2343/ A3/ 2017 and O.Mu.No.3321/ A3/ 2017 respectively passed by the 4th Respondent and quash them and consequently direct Respondents (1) to (4) to approve the appointment of the petitioner as Graduate Teacher (Tamil) designated earlier as Tamil Pandit, made by the 5th Respondent w.e.f. from 06.06.2017 considering the Judgment passed on 06.05.2014 by the Constitutional Bench of the Honourable Supreme Court in Pramati Educational & Cultural Trust Vs.Union of India reported in (2014) 8 SCC 1 and the proposal dated 30.10.2017 submitted by the 5th Respondent to the 4th Respondent.

W.P.No.5414 of 2018 :

Writ Petition filed under Article 226 of The Constitution of

India seeking for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the two Impugned Orders dated 21.08.2017 and 27.11.2017 bearing O.Mu. No.2344/ A3/ 2017 and O.Mu.No.3323/ A3/ 2017 respectively passed by the 4th Respondent and quash them and consequently direct Respondents (1) to (4) to approve the appointment of the petitioner as Graduate Teacher (Tamil) designated earlier as Tamil Pandit, made by the 5th Respondent w.e.f. from 06.06.2017 considering the Judgment passed on 06.05.2014 by the Constitutional Bench of the Honourable Supreme Court in Pramati Educational & Cultural Trust Vs.Union of India reported in (2014) 8 SCC 1 and the proposal dated 30.10.2017 submitted by the 5th Respondent to the 4th Respondent.

For Petitioner : Mr.T.Madhusudhan Reddy
in all WPs

For Respondents : Mrs.P.Rajalakshmi, AGP
in all WPs for R1 to R4

C O M M O N O R D E R

These Writ Petitions have been directed against the impugned orders passed by the fourth respondent herein, rejecting the proposals sent by the fifth respondent, seeking approval of the appointments of the petitioners in the posts of Graduate Teacher [English] and Graduate Teacher [Tamil] respectively.

2.Heard the parties on both sides.

3.Today, when the matter was taken up, the learned counsel appearing for the petitioners and the learned Additional Government Pleader jointly made a statement that the order passed by this Court has been duly complied with, by granting approval in favour of the petitioners, subject to condition, verification of genuineness of their educational certificates, their salary will be released and they also have to undergo three months refresher course.

4.Learned Additional Government Pleader also submitted that Mr.K.Madhivanan, District Educational Officer, Chennai-South, Chennai-8, who has appeared before this Court, pursuant to the order, cannot be found fault with for the impugned order passed by his predecessor. Explaining further, learned Additional Government Pleader submitted that this officer has joined duty only on 30.12.2017 and the said officer will not commit this type of mistake in future.

5. Recording the statement of the learned Additional Government Pleader and since the order of this Court has been duly complied with, two weeks time is granted for verifying the genuineness of certificates and further, two weeks time is granted to release their salaries from the date of appointment.

With the above directions, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Department of Education,
Government of Tamil Nadu,
Fort St. George, Chennai-9.
2. The Director of School Education,
DPI Compound, College Road,
Chennai-6.
3. The Chief Educational Officer,
Chennai Panagal Maligai,
Saidapet, Chennai-15.
4. The District Educational Officer,
Chennai [South],
Egmore, Chennai.

+1cc to the Government Pleader, S.R.No.21427

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W.P.Nos.5411 to 5414 of 2018
and
W.M.P.Nos.6669 to 6672 of 2018

sks(co)
cs/10/04/18