



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1726 of 2018

Bala Murugan

... Petitioner

Vs.

1.The Director of School Education (Secondary)
College Road,
Chennai - 6.

2.The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

3.The Secretary,
Kalaimagal Higher Secondary School,
S.Ramachandrapuram,
Virudhunagar District - 626 126.

... Respondents

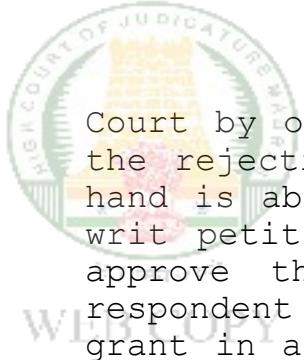
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records connected with the impugned order passed by the second respondent in O.Mu.No.48/A8/2018 dated 08.01.2018 and quash the same and directing the second respondent to approve the appointment of the petitioner as Watchman in the third respondent school namely Kalaimagal Higher Secondary School, S.Ramachandrapuram, Virudhunagar District - 626 126 with all consequential monetary benefits and salary with effect from 16.10.2017.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.Jeyakumar A.G.P.,
for R1 & R2
No appearance for R3

O R D E R

The petitioner was appointed as Watchman in the third respondent School with effect from 16.10.2017. It is not in dispute that the appointment is in respect of a sanctioned post. It is also not in dispute that the petitioner is eligible to be so appointed. Therefore, there cannot be any impediment for grant of approval, but then the authority has declined by referring to G.O.Ms.No.115 dated 30.05.2007 and the Government Letter dated 09.07.2012. But this



Court by order dated 19.06.2017 in W.P(MD)No.10750 of 2017 quashed the rejection order that contained a similar reason. The case on hand is absolutely similar. Therefore, the order impugned in this writ petition is quashed. The second respondent is directed to approve the petitioner's appointment as Watchman in the third respondent school with effect from 16.10.2017 and also disburse grant in aid towards salary and all other benefits immediately and without any delay.

2.This Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1.The Director of School Education (Secondary)
College Road,
Chennai - 6.

2.The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

3.The Secretary,
Kalaimagal Higher Secondary School,
S.Ramachandrapuram,
Virudhunagar District - 626 126.

+1CC to Mr.K.K.Kannan, Advocate, SR.No. 52579

+1CC to the Special Government Pleader SR.No.53333

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skn

AM/SKN RSK/SAR 3/07.03.2018/2P/6C