



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).Nos.2426 to 2428 of 2018

G.Ambika ...Petitioner in W.P.(MD).No.2426 of 2018
S.Ganesan ...Petitioner in W.P.(MD).No.2427 of 2018
H.Fathima Praveen ...Petitioner in W.P.(MD).No.2428 of 2018

Vs.

- 1.The Director of School Education,
College Road, Chennai-6.
- 2.The District Educational Officer,
Devakottai.
- 3.The Secretary,
Rm.M.Girl's High School,
Pallathur-630 107,
Sivagangai District ...Respondents in all Writ Petitions

COMMON PRAYER: Writ petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for entire records connected with the impugned order passed by the second respondent in O.Mu.Nos.278/A1/2018, 279/A1/2018 and 735/A1/2018 dated 22.01.2018, 22.01.2018 and 31.01.2018 and quash the same and directing the second respondent to approve the appointment of the petitioners as Record Clerk, Watchman and Office Assistant in the third respondent school namely, Rm. M.Girl's High School, Pallathur-630 107, Sivagangai District with all consequential monetary benefits and salary with effect from 22.11.2017.

In all Writ Petitions

For Petitioners : Mr.K.K.Kannan
For R1 & R2 : Mr.M.Jeyakumar
Additional Government Pleader
For R3 : No Appearance

COMMON ORDER

Mr.M.Jeyakumar, learned Additional Government Pleader appearing for the first and second respondents in all the Writ Petitions.

2.By consent of both parties, the main Writ Petitions themselves are taken up for final disposal.



3.The petitioners were appointed as Record Clerk, Watchman and Office Assistant in the third respondent/School on 22.11.2017.

4.It is not in dispute that the appointments were made in respect of sanctioned posts and that the petitioners are also possessing the requisite eligibility qualifications. Therefore, the second respondent was not justified in declining approval on the ground that prior permission from the Director of School Education was not obtained.

5.This Court has held in a catena of decisions that such prior permission need not be obtained. Therefore, the impugned orders stand quashed.

6.The second respondent is, therefore, directed to approve the petitioners appointment as Record Clerk, Watchman and Office Assistant in the third respondent school with effect from 22.11.2017. The second respondent is also directed to disburse grant in aid towards salary and other benefits immediately without any delay.

7.These Writ Petitions are allowed accordingly. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

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

2.The District Educational Officer,
Devakottai.

+3CC to Mr.K.K.Kannan, Advocate, SR.No. 54362

+1CC to the Special Government Pleader SR.No.54507

ORDER MADE IN
W.P. (MD).Nos.2426 to 2428 of 2018
09.03.2018

tsg

AM/SKN RSK/SAR 3/13.03.2018/2P/7C