



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.03.2018

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

CORAM:

W.P (MD) No.2953 of 2018
and
WMP (MD) No.3118 of 2018

S. Sebastine Rani

... Petitioner

Vs.

1. The District Educational Officer,
Cheranmadevi, Tirunelveli District.

2. The Correspondent,
St. Aloysius Higher Secondary
School,
T. Kallikulam, Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the order passed by the first respondent in his proceedings in O.Mu.No.2576/A2/2017 dated 29.01.2018 and quash the same and direct the respondents to approve the appointment of the petitioner as Sweeper from the date of appointment i.e., 01.07.2010 will all the consequential monetary benefits.

For petitioner

: Mr. V. Panneer Selvam

For respondents

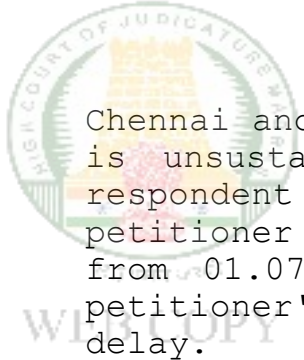
: Mr. M. Jeyakumar,
Addl., Govt., Pleader for R1

No appearance for R2

O R D E R

The petitioner was appointed in the second respondent school as a Sweeper with effect from 01.07.2010. The appointment of the petitioner is in respect of a sanctioned post. The petitioner has the qualification to be so appointed. But, the first respondent has declined to grant approval on the ground that the Government has not revoked the ban of such appointments. Therefore, this writ petition came to be filed.

2. The issue on hand is no longer *res integra*. It is covered by the decision of this Court reported in 2016-III-LLJ-49 [Mad] (Deva Asir Vs. Secretary to Government, School Education Department,



Chennai and others). Since the reason set out in the impugned order is unsustainable, the same is quashed. Therefore, the first respondent is directed to accord approval of the appointment of the petitioner as Sweeper in the second respondent school with effect from 01.07.2010 and also disburse the grant in aid towards the petitioner's salary and other consequential benefits without any delay.

3.This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is allowed.

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

The District Educational Officer,
Cheranmadevi, Tirunelveli District.

+One cc to Mr.V.Pannerselvam, Advocate, SR.No.56024

+One cc to The Special Government Pleader, SR.No.55959

SKM
RL/4C/2P/KK/SAR1/3/4/2018

W.P (MD)No.2953 of 2018
and
WMP (MD)No.3118 of 2018

15.03.2018