



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.3035 and 3036 of 2018

R.Srividhya ... Petitioner in W.P(MD)No.3035 of 2018

A.Ravi Selvam ... Petitioner in W.P(MD)No.3036 of 2018

Vs.

1. The Director of School Education (Secondary)
College Road,
Chennai-6.
2. The District Educational Officer,
Srivilliputhur,
Virudhunagar District.
3. The Secretary,
M.N.R.D Girls Higher Secondary School,
Srivilliputhur. ... Respondents in both W.Ps.

PRAYER in W.P.(MD)No.3035 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the second respondent in O.Mu.No.568/A3/2018 dated 01.02.2018 and quash the same and directing the second respondent to approve the appointment of the petitioner as Record Clerk in the third respondent school namely M.N.R.D. Girls Higher Secondary School, Srivilliputhur with all consequential monetary benefits and salary with effect from 22.01.2018.

PRAYER in W.P.(MD)No.3036 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the second respondent in O.Mu.No.569/A3/2018 dated 01.02.2018 and quash the same and directing the second respondent to approve the appointment of the petitioner as Watchman in the third respondent school namely M.N.R.D. Girls Higher Secondary School, Srivilliputhur with all consequential monetary benefits and salary with effect from



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For Petitioner
(in both W.Ps.)
For R1 and R2

: Mr.K.K.Kannan
: Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R3
(in both W.Ps.)

: No appearance

COMMON ORDER

By consent of both parties, this writ petitions are taken up for final disposal at the admission stage itself.

2.The writ petitioners herein were appointed as non teaching staff in the second respondent school. The school management submitted its proposal to the first respondent for obtaining approval. But the first respondent by the impugned orders declined to grant approval. The impugned orders rest on the Government letter No.11462/G1/2006, dated 26.05.2006 and the Government Letter No.8884/G1/11-2, dated 09.07.2012.

3.Both these communications have been quashed by this Court in the decision reported in **2016 III LLJ 49, (Deva Asir Vs.Secretary to Government, School Education Department, Chennai)**. Since the reasons set out in the impugned orders have already been set aside by this Court on an earlier occasion, the orders impugned in this writ petitions will have to be necessarily quashed.

4.It is not in dispute that the appointments were made in respect of the sanctioned posts. The writ petitioners are having the requisite educational qualifications for being so appointed. The first respondent is directed to approve the appointment of the writ petitioners with effect from the date of their original appointments and also disburse the grant-in-aid towards their salary and other benefits. Such proceedings shall be issued within a period of four weeks from the date of receipt of a copy of this order.

5.Accordingly, the writ petitions are allowed. No costs.
Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Director of School Education (Secondary)

<https://hcservices.ecourts.gov.in/hcservices/>
College Road, Chennai-6.



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

+2ccs TO Mr.K.K.KANNAN , Advocate in SR No. 56165,56166

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AE/SKN RSK/SAR1/27.06.2018/3P/5C

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