



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

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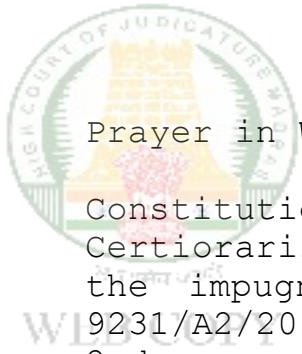
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.3263 to 3268, 3618 & 3619 of 2018

AR.LAKSHMANAN ... Petitioner in WP(MD). 3263/ 2018
RM.KARTHIKEYAN ... Petitioner in WP(MD). 3264/ 2018
J.ANANDA KUMAR ... Petitioner in WP(MD). 3265/ 2018
M.ANITHA ... Petitioner in WP(MD). 3266/ 2018
PAGAMPRIYAL ... Petitioner in WP(MD). 3267/ 2018
V.MEENAKSHI ... Petitioner in WP(MD). 3268/ 2018
G.KARTHIKA JOTHI ... Petitioner in WP(MD). 3618/ 2018
T.KANNAKI ... Petitioner in WP(MD). 3619/ 2018

Vs.

- 1 THE DIRECTOR OF SCHOOL EDUCATION (SECONDARY),
COLLEGE ROAD, CHENNAI 6. ... 1st Respondent in all WPs
- 2 THE DISTRICT EDUCATIONAL OFFICER,
DEVAKOTTAI 630 302,
SIVAGANGAI DISTRICT.
- 3 THE SECRETARY,
N.S.M.V.P.S.HIGHER SECONDARY SCHOOL,
DEVAKOTTAI 630 302,
SIVAGANGAI DISTRICT. ... 2nd and 3rd Respondents in
WP(MD).3263 to 3268/2018
- 4 THE DISTRICT EDUCATIONAL OFFICER,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
- 5 THE SECRETARY,
S.S.HINDU NADAR HIGHER SECONDARY SCHOOL,
MUHAVUR 626 111,
VIRUDHUNAGAR DISTRICT. ... 2nd and 3rd Respondents in
WP(MD).Nos.3618 & 3619 of 2018



Prayer in WP(MD). 3263/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in O.Mu.No. 9231/A2/2017 dated 17.01.2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Librarian in the 3rd respondent school namely N.S.M.V.P.S. Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 28.07.2017.

Prayer in WP(MD). 3264/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in O.Mu.No. 9232/A2/2017 dated 17.01.2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Record Clerk in the 3rd respondent school namely N.S.M.V.P.S. Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 27.07.2017.

Prayer in WP(MD). 3265/ 2018 :

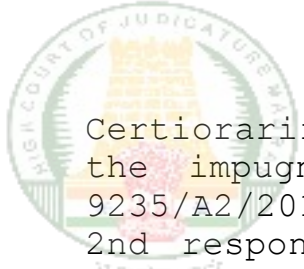
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order passed by the 2nd respondent in O.Mu.No.9234 / A2 / 2017 dated 17/01/2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Watchman in the 3rd respondent school namely N.S.M.V.P.S. Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 27.07.2017.

Prayer in WP(MD). 3266/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in O.Mu.No.9233/A2/2017 dated 17.01.2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Water Carrier in the 3rd respondent school namely N.S.M.V.P.S. Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 27.07.2017.

Prayer in WP(MD). 3267/ 2018 :

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of



Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in O.Mu.No. 9235/A2/2017 dated 17.01.2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Gardener cum sweeper in the 3rd respondent school namely N.S.M.V.P.S Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 27.07.2017.

Prayer in WP(MD). 3268/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for entire records connjcted with the impugned order passed by the 2nd respondent in O.Mu.No.9230/A2/2017 dated 17/01/2018 and quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Office Assistant in the 3rd respondent school namely N.S.M.V.P.S. Higher Secondary School, Devakottai, Sivagangai District with all consequential monetary benefits and salary with effect from 3/8/2017.

Prayer in WP(MD). 3618/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in Aa.Thi.Mu.No.195/A2/2018 dated 30.01.2018 and Quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Record Clerk in the 3rd respondent school namely S.S.Hindu Nadar Higher Secondary School, Muhavur 626 111, Virudhunagar District with all consequential monetary benefits and salary with effect from 23.12.2017

Prayer in WP(MD). 3619/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for entire records connected with the impugned order passed by the 2nd respondent in Aa.Thi.Mu.No.196/A2/2018 dated 30.01.2018 and Quash the same and directing the 2nd respondent to approve the appointment of the petitioner as Lab Assistant in the 3rd respondent school namely S. S.Hindu Nadar Higher Secondary School, Muhavur 626 111, Virudhunagar District with all consequential monetary benefits and salary with effect from 23.12.2017.

W.P. (MD) Nos. 3263 to 3268 of 2018:

For Petitioner	: Mr.K.K.Kannan
For Respondents	: Mrs.Srimathy,
	Special Government Pleader
	for R.1 & R.2
	No appearance for R.3



W.P. (MD) Nos. 3618 & 3619 of 2018:

For Petitioner : Mr.N.Vijayarajan
For Respondents : Mr.Jeyakumar,
Additional Government Pleader
for R.1 & R.2
No appearance for R.3

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COMMON ORDER

As the issue involved in all these writ petitions are similar in nature, they are disposed of by way of this common order.

2. The petitioners in all these writ petitions were appointed as Non-Teaching Staff in the third respondent School. It is not in dispute that the appointments were made in respect of sanctioned posts. The writ petitioners are possessing the requisite qualifications also. But, citing G.O.Ms.No.115, School Education Department, dated 30.05.2007, the authority declined to grant approvals.

3. The issue on hand is no longer res integra. A learned Judge of this Court, in the decision reported in 2016 III LLJ 49 (Mad), decided on 15.03.2016, had quashed G.O.Ms.No.115, School Education Department, dated 30.05.2007; G.O.Ms.No.203, School Education Department, dated 23.07.2010; and Government Letter No.8884/D1/2011-12, dated 09.07.2012.

4. Since the basis on which the impugned orders of rejection have been passed have already been quashed by this Court, the orders impugned in these writ petitions deserve to be quashed and accordingly, they are quashed.

5. The second respondent in all these writ petitions is directed to approve the appointment of the writ petitioners as Non-Teaching Staff from the date of their original appointment and also disburse the grant-in-aid. The entire exercise shall be done within a period of four weeks from the date of receipt of a copy of this order.

6. These writ petitions stand allowed in the above terms. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/



To

1. THE DIRECTOR OF SCHOOL EDUCATION (SECONDARY),
COLLEGE ROAD,
CHENNAI - 6.

2. THE DISTRICT EDUCATIONAL OFFICER,
DEVAKOTTAI - 630 302,
SIVAGANGAI DISTRICT.

3 THE DISTRICT EDUCATIONAL OFFICER,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

+1cc to Special Government Pleader, SR.No. 57664 & 57291
+8ccs to M/S.K.K.Kannan, Advocate SR.No. 57153 to 57160

W.P. (MD) Nos. 3263 to 3268, 3618 & 3619 of 2018
21.03.2018

gk

JM/RSK/SAR 4/03.05.2018/5P/13C