



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) Nos.16099 to 16101 of 2017
and
W.M.P.(MD) Nos.12776 to 12778 of 2017

Kshatriya Nadar Secondary School,
represented by its Secretary,
Kamuthi,
Ramanathapuram District.

...Petitioner in all W.Ps.,

Vs.

- 1.The Secretary to Government,
Government of Tamil Nadu
Education Department,
Fort St.George,
Chennai - 9.
- 2.The Director of School Education,
(Higher Secondary),
Chennai - 6.
- 3.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.
- 4.The District Educational Officer,
Paramakudi,
Ramanathapuram District.

...Respondents in all W.Ps.,

COMMON PRAYER: Writ petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned proceedings of the fourth respondent in A.Dhi.Mu.Nos.4413/A4/17, A.Dhi.Mu.No.4417/A4/17 and A.Dhi.Mu.No.4418/A4/17 dated 10.08.2017 and quash the same and consequently, direct the fourth respondent to approve the appointment of M.Arunadevi, M.Nagarajan and R.Sumathi as Waterman, Watchman, Sweeper respectively in the sanctioned post by considering the proposal of the petitioner school dated 02.08.2017 with all consequential service benefits thereon.

For Petitioner

<https://hcservices.ecourts.gov.in/hcservices/>

IN all W.Ps., : Mr.R.Devaraj



For Respondents

in all W.Ps.,

: Mrs.S.Srimathy

Special Government Pleader

COMMON ORDER

The school management is the writ petitioner in all these writ petitions. It appointed three candidates in various non-teaching post. It is not in dispute that the appointments were made in respect of sanctioned posts. It is also not in dispute that the appointees are having the requisite qualifications. But then, approval was denied by citing the G.O.(MS) No.115, School Education Department, dated 30.05.2007 and G.O.(MS) No.203, School Education Department, dated 23.07.2010 and Government Letter No.8884/D1/2011-2, dated 09.07.2012.

2.A learned Judge of this Court in the decision reported in 2016 - III- LLJ - 49 (*Deva Asir Vs. Secretary to Government, School Education Department, Chennai and others*) has quashed the government orders and letters. Therefore, the reasons assigned by the department for declining the approval is no longer sustainable.

3.In view of the same, the order impugned in these writ petitions stand quashed. The fourth respondent is directed to approve the appointments made by the writ petitioner and also disburse the grant in aid and other benefits within a period of four weeks from the date of receipt of a copy of this order.

4.Accordingly, these writ petitions are allowed. No costs. consequently, the connected miscellaneous petitions are closed.

Sd/

Assistant Registrar(T&P)

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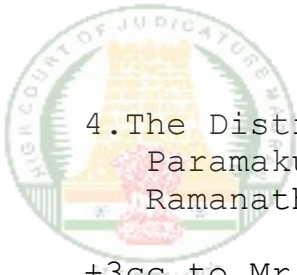
Sub Assistant Registrar (CS-IV)

To

1.The Secretary to Government,
Government of Tamil Nadu
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Fort St.George,
Chennai - 9.

2.The Director of School Education,
(Higher Secondary),
Chennai - 6.

3.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.



4.The District Educational Officer,
Paramakudi,
Ramanathapuram District.

+3cc to Mr.R.Devaraj, Advocate, SR.No. 57700

+1cc to M/s.Special Government Pleader,SR.No. 58408

W.P. (MD) Nos.16099 to 16101 of 2017
23.03.2018

MM

KK/SV/SAR-4/23.07.2018/3P-9C/