



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.A. (MD) Nos.42 to 44 of 2019
and C.M.P. (MD) No.242 to 244 of 2019**

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
- 2.The Director of Teacher Education Research and Training,
DPI Compound, College Road,
Chennai - 600 006.
- 3.The Principal District Institute of Education and Training,
T.Kallupatti,
Madurai District. ... Appellants in these Writ Appeals

-vs-

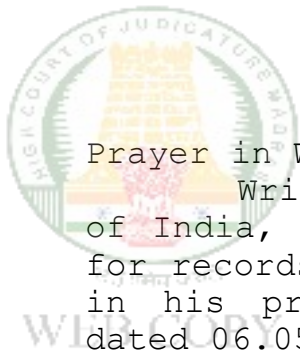
J.Tamilarasi ... 1st Respondent W.A. (MD) No.42/2019
V.Kathiresan ... 1st Respondent W.A. (MD) No.43/2019
S.Ranjithkumar ... 1st Respondent W.A. (MD) No.44/2019

The Correspondent,
TELC Teacher Training Institute for Women,
Usilampatti, Madurai District. ... 2nd Respondent in all the appeals

Writ Appeals filed under Clause 15 of Letters Patent against
the common order dated 05.02.2018, made in W.P.(MD) Nos.13310 to
13312 of 2019, on the file of this Court.

For Appellant in all these : Mrs.S.Srimathy
appeals Special Government Pleader

For 1st Respondent in all : Mr.T.Cibi Chakraborty
these appeals



Prayer in WP(MD). 13310/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari calling for records relating to the impugned order passed by the respondent in his proceedings in No.57/00 /047756/ 000/0101/ INS.III/39/16 dated 06.05.2019 and quash the same.

Prayer in WP(MD). 13311/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, direct the 2nd respondent to sanction the family pension to the petitioner with all monetary benefits based on the petitioners representation dated 23.05.2019

Prayer in WP(MD). 13312/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents NO.1 to pass any appropriate order on the Appeal pending before him in the light of the decision rendered in Judgment of Honourable Madras High Court in WP.No.28343 of 2015 and the provisions of Indian Stamp act in realizing stamp duty paid on the petitioners Sale Certificate issued by the State Bank of India in vide document No.423/2017 dated 28/04/2017 at the office of the Sub Registrar Office.

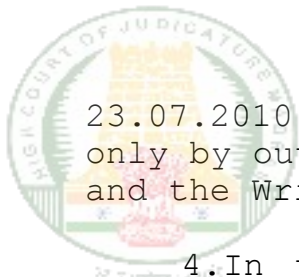
COMMON JUDGMENT

[Common Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mrs.S.Srimathi, learned Special Government Pleader appearing for the appellants and Mr.T.Cibi Chakraborty, learned counsel for the 1st respondent, in these appeals.

2.Since the issue involved in these Writ Appeals are one and the same and these Writ Appeals arise out a common order, they are taken up together for disposal. By consent on either side, these Writ Appeals are taken up for final disposal.

3.We have perused the order passed by the learned Single Judge. The learned Single Judge has rightly taken into consideration various judgments of the Hon'ble Division Bench and allowed the Writ Petitions, rejecting the objections raised by the appellants/Government in those Writ Petitions. Very recently, the Division Bench of this Court in **W.A. (MD) Nos.390 of 2017 and 226 to 228 of 2017** had taken note of the decision of the Division Bench of this Court in the case of **The Secretary to Government, Education Department and others v. A. Maria Selvam in W.P. (MD) No.888 of 2014 etc., batch dated 21.07.2015** and decided the issue. The learned Special Government Pleader pressed into service G.O.Ms.No.203 dated



23.07.2010 and submitted that a list of posts can be accommodated only by outsourcing. In fact, this contention was also taken note of and the Writ Appeals were dismissed by order dated 12.06.2017.

4. In the light of the above, we do not propose to interfere with the findings of the Writ Court. Therefore, the Writ Appeals are dismissed. In the light of the above decisions, the appellants are directed to implement the directions issued by the Writ Court within 12 weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

sj

To:

1. The Secretary,
Department of School Education,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Director of Teacher Education Research and Training,
DPI Compound, College Road,
Chennai - 600 006.
3. The Principal District Institute of Education and Training,
T. Kallupatti,
Madurai District.

+3CC TO MR. T. CIBI CHAKRABORTHY, Advocate Sr. No. 88488
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR. No. 88570

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and C.M.P. (MD) No.242 to 244 of 2019
20.09.2019

KG (CO)
TR (14.10.2019) 3P 8C