



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

**WP(MD)Nos.21104 of 2015, 6043,
6052, 6053 and 13583 of 2016**

and**WMP(MD)Nos.1 and 2 of 2015, 5359 and 10128 of 2016**

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WP(MD)No.21104 of 2015

M.Rex ... Petitioner

Vs.

- 1.The Chief Educational Officer,
Tuticorin, Tuticorin District.
- 2.The District Educational Officer,
Tuticorin, Tuticorin District.
- 3.The Correspondent,
St.Ignatious Higher Secondary School,
Innaciapuram,
Tuticorin.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 1st respondent herein Chief Educational Officer vide Na.Ka.No.5008/Aa4/2014 dated 15.02.2015 quash the same and further direct the 1st respondent herein to approve the petitioner's appointment as BT Assistant (English) in the 3rd respondent-school from the original date of appointment i.e., 01.08.2011 with salary and other monetary benefits.

For Petitioner : Mr.A.Ajith Geethan
For Respondent : Mrs.S.Srimathy,
Nos.1 and 2 Special Government Pleader
For Respondent : No appearance
No.3

WP(MD) . 6043 OF 2016 :

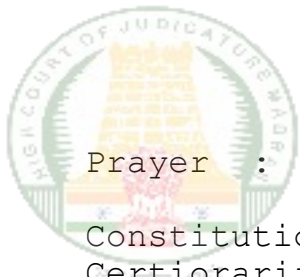
S.JEYA UGIN MARY ... Petitioner

- Vs. -

- 1 THE CHIEF EDUCATIONAL OFFICER, TUTICORIN, TUTICORIN DISTRICT.
- 2 THE DISTRICT EDUCATION OFFICER OFFICER TUTICORIN TUTICORIN DISTRICT

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

3 THE CORRESPONDENT MANAL MATHA HIGHER SECONDARY SCHOOL
SOKKANKUDIYIRUPPU TUTICORIN DISTRICT - 628 653. ... Respondents



Prayer :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 2nd respondent herein Moo. Mu. No. 5960 / A4 / 2015 dated 28.01.2016 quash the same and further direct the 2nd respondent herin to approve the petitioners appointment as BT Assistant (social science) in the 3rd respondent - school from the original dated of appointment i.e. 01.12.2001 with salary and other monetary benefits.

For Petitioner :Mr.A.Ajith Geethan,

For Respondents Nos.1 and 2:Mrs.S.Srimathy

For Respondents No.3 :No Appearance

WP(MD). 6052 OF 2016:

1 S.MICHEAL XAVIER BT ASSISTANT (HISTORY) ST.TERASA HIGHER SECONDARY SCHOOL, VADAKKANKULAM,

TIRUNELVELI DIST 627 116

... Petitioner

- Vs. -

1 THE STATE OF TAMIL NADU REP. BY ITS SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, FORT.ST.GEORGE, CHENNAI 600 009

2 THE DIRECTOR OF SCHOOL EDUCATION, COLLEGE ROAD, CHENNAI 600 006

3 THE CHIEF EDUCATIONAL OFFICER TIRUNELVELI, TIRUNELVELI DISTRICT

4 THE DISTRICT EDUCATIONAL OFFICER, CHERENMADEVI @ TIRUNELVELI, TIRUNELVELI DISTRICT

5 THE CORRESPONDENT ST.TERASAS HIGHER SECONDARY SCHOOL, VADAKKANKULAM, TIRUNELVELI DISTRICT ... Respondents

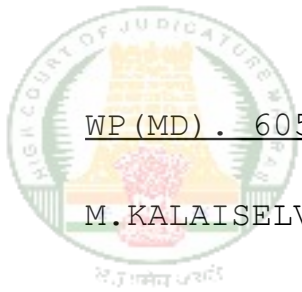
Prayer in WP(MD). 6052/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 4th respondent herein in Moo.Mu.No.1796/Aa2/2015 dated 25.06.2015 quash the same, and further Direct the 4th Respondent herein to approve the petitioners promotion as BT Assistant (History) in the 5th respondent school from the original date of promotion i.e., 21.06.2013 with salary and other monetary benefits.

For Petitioner : Mr.A.Ajith Geethan

For Respondents Nos.1 and 2: Mrs.S.Srimathy

For Respondent No.3: No Appearance



WP(MD). 6053 of 2016 :

M.KALAISELVI,

... Petitioner

- Vs. -

- 1 THE STATE OF TAMIL NADU, REP. BY ITS SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, FORT ST. GEORGE, CHENNAI-600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION, COLLEGE ROAD, CHENNAI-600 009.
- 3 THE CHIEF EDUCATIONAL OFFICER, TIRUNELVELI, TIRUNELVELI DISTRICT.
- 4 THE DISTRICT EDUCATIONAL OFFICER, CHERANMAHADEVI AT TIRUNELVELI, TIRUNELVELI DISTRICT.
- 5 THE CORRESPONDENT, ST. TERESAS HIGHER SECONDARY SCHOOL, VADAKKANKULAM, TIRUNELEVLII DISTRICT.

... Respondents

Prayer in WP(MD). 6053/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 4th respondent herein in Moo.Mu.No.4459/Aa2/2015 dated 03.11.2015 quash the same, and further direct the 4th respondent herein to approve the petitioner s promotion as BT Assistant (Tamil) in the 5th respondent school from the original date of promotion i.e., 21.06.2013 with salary and other monetary benefits.

For Petitioner	:Mr.A.Ajith Geethan
For Respondents Nos.1 and 2	:Mrs.S.Srimathy
For Respondent No.3	:No Appearance

WP(MD). 13583 OF 2016:

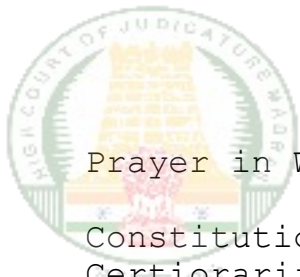
S.R.P. DEVADOSS BT ASSISTANT (HISTORY) ST. ANNES HIGHER SECONDARY SCHOOL KODANKULAM, TIRUNELVELI DISTRICT- 627 106

... Petitioner

- Vs. -

- 1 THE STATE OF TAMIL NADU REP BY ITS SECRETARY, DEPT, OF SCHOOL EDUCATION, FORT ST. GEORGE, CHENNAI-09
- 2 THE DIRECTOR OF SCHOOL EDUCATION, COLLEGE ROAD, CHENNAI-06
- 3 THE CHIEF EDUCATIONAL OFFICER TIRUNELVELI @ TIRUNELVELI DISTRICT
- 4 THE DISTRICT EDUCATIONAL OFFICER, CHERANMADEVI @ TIRUNELVELI TIRUNELVELI DISTRICT.
- 5 THE CORRESPONDENT ST. ANNES HR.SEC. SCHOOL, KODANKULAM TIRUNELVELI DISTRICT- 627 106.

... Respondents



Prayer in WP(MD). 13583/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus, calling for the records relating to the impugned proceedings issued by the 4th respondent herein in Moo.MU.No. 4338/A3/2013 dated 12.12.2013 Quash the same, and further Direct the 4th respondent herein to approve the petitioners promotion as BT Assistant (History) in the 5th respondent school from the original date of promotion i.e, 01.06.2012 with salary and other monetary benefits.

For Petitioner :Mr.A.Ajith Geethan

For Respondents Nos.1 and 2:Mrs.S.Srimathy

For Respondnet No.3 :No Appearance

COMMON ORDER

These writ petitions are filed seeking to quash the impugned proceedings and to direct the respondents to approve the petitioners' appointments from their date of appointment and to disburse the grant-in-aid towards their salary and other attendant benefits.

2.The learned Counsel for the petitioners submitted that the issue involved in these writ petitions has already been considered by this Court, in the case of, **C.Wilson Sundar Raj Vs. The Director of School Education, Chennai** and others, reported in **(2012) 3 MLJ 678** and the relevant portion of the same reads as follows;-

"4.It is stated by the petitioner that when his appointment was made on 19.01.1999, the conversion of the said post was granted by the 1st respondent should be effective only from the date of appointment of the petitioner and consequently, the petitioner ought to have paid salary from 19.01.1999 onwards instead of 19.03.2002. Therefore, he has challenged the impugned orders with a prayer as stated supra."

3.The learned Counsel for the petitioners submitted that the petitioners are also entitled for the same relief.

4.The above submission has not been seriously objected to by the learned Special Government Pleader appearing for the official respondents.

5.This Court is of the considered view that the judgment cited supra, squarely covers the issue involved in the present writ petitions and the writ petitioners necessarily have to succeed.

6. In view of the foregoing discussion, the Chief Educational Officers and District Educational Officers concerned are directed to approve the petitioners' appointments from their date of initial



appointment and disburse the grant-in-aid towards their salary and other attendant benefits, within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Chief Educational Officer,
Tuticorin, Tuticorin District.

2. The District Educational Officer,
Tuticorin, Tuticorin District.

3 THE SECRETARY ,

THE STATE OF TAMIL NADU, DEPT OF SCHOOL EDUCATION, FORT ST.
GEORGE, CHENNAI-09

4 THE DIRECTOR OF SCHOOL EDUCATION, COLLEGE ROAD, CHENNAI-06

5 THE CHIEF EDUCATIONAL OFFICER TIRUNELVELI @ TIRUNELVELI DISTRICT

6 THE DISTRICT EDUCATIONAL OFFICER, CHERANMADEVI @ TIRUNELVELI
TIRUNELVELI DISTRICT.

7 THE CORRESPONDENT,
ST.IGNATIUS HIGHER SECONDARY SCHOOL,
INNASIPURAM, TUTICORIN

8 THE CORRESPONDENT,
MANALMATHA HIGHER SECONDARY SCHOOL,
SOKKANKUDIYIRUPPU,
TUTICORIN DISTRICT

9. THE CORRESPONDENT,
ST.THERASAS HIGHER SECONDARY SCHOOL,
VADAKKANKULAM, TIRUNELVELI DISTRICT.

10. THE CORRESPONDENT,

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

ST.ANNES HIGHER SECONDARY SCHOOL, KODARKULAM, THIRUNELVELI DISTRICT



+5cc to Mr.A.AJITH GEETHAN, Advocate, SR.No. 53840

+1cc to M/s.Special Government Pleader,SR.No.
53642,53644,53643,53641

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6052, 6053 and 13583 of 2016**
12.03.2019

DSK

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