



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :28.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) Nos.19997 and 19998 of 2018

WEB COPY

Sri Kumarakurubara Swamigal Higher Secondary School,
represented by its Secretary,
B.Mohamed Abdul Khader.

... Petitioner in both cases

Vs.

1.The Director of School Education,
D.P.I.Buildings, College Road,
Chennai -6.

2.The Chief Educational Officer,
Tuticorin District.

3.The District Educational Officer,
Tuticorin.

... Respondents in both cases

PRAYER in W.P.(MD)No.19997 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to approve the appointment of Tmt.S.Saraswathy, as Gardner-cum-Sweeper w.e.f., 01.06.2018 with all consequential monetary benefits on the basis of proposal submitted by the petitioner school, dated 20.07.2018 in the light of the order passed in Deva Asir vs Secretary to Government, Education Department, reported in 2016 (3) LLJ 49.

PRAYER in W.P.(MD)No.19998 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to approve the appointment of Thiru.E.Pechimuthu, as Watchman w.e.f., 01.06.2018 with all consequential monetary benefits on the basis of proposal submitted by the petitioner school, dated 20.07.2018 in the light of the order passed in Deva Asir vs Secretary to Government, Education Department, reported in 2016 (3) LLJ 49.

For Petitioner : Mr.S.N.Ravichandran
(in both cases)

For Respondents : Mrs.S.Srimathy
(in both cases) Special Government Pleader

COMMON ORDER

These writ petitions have been filed seeking to direct the third respondent to approve the appointments of one S.Saraswathi, as Gardner cum Sweeper and E.Pechimuthu, as Watchman with effect from 01.06.2018 with all consequential monetary benefits, on the basis of



proposals submitted by the petitioner school, dated 20.07.2018 and also in the light of the order passed in **Deva Asir vs Secretary to Government, Education Department**, reported in **2016 (3) LLJ 49**.

2.The learned Counsel for the petitioner School submitted that the proposals submitted by the petitioner School, seeking for approval of the appointments of one S.Saraswathi, as Gardner cum Sweeper and E.Pechimuthu, as Watchman, are pending consideration, before the third respondent for quite a long time. Hence, the petitioner School is before this Court, seeking appropriate orders.

3.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that proposals submitted by the petitioner would be considered on merits.

4.Under such facts and circumstances, this Court, without going into the merits of the cases, directs the respondent No.3 to consider the petitioner School's proposals dated 20.07.2018, on merits and in accordance with law and also in the light of **Deva Asir vs Secretary to Government, Education Department**, reported in **2016 (3) LLJ 49**, and pass appropriate orders, after affording opportunity of hearing to the petitioner School, within a period of eight weeks from the date of receipt of a copy of this order.

5.These writ petitions are disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar

dsk

To

1.The Director of School Education,
D.P.I.Buildings, College Road, Chennai -6.

2.The Chief Educational Officer, Tuticorin District.

3.The District Educational Officer, Tuticorin.

+2CCs to Mr.K.K.KANNAN , Advocate SR.No.50596.

ORDER MADE IN
**WP (MD) Nos.19997 and
19998 of 2018**

28.02.2019