



W.P(MD)No.20761 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 03.11.2022

DELIVERED ON : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20761 of 2019

and

W.M.P(MD)Nos.17380 & 17382 of 2022

Jeyanthi Prema

... Petitioner

Vs.

1.The Secretary to Government,
Education Department,
State of Tamil Nadu,
Fort St.George, Chennai – 600 009.

2.The Director of School Education,
College Road, Chennai – 600 006.

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

4.The District Educational Officer,
Tirunelveli District, Tirunelveli.

5.The Correspondent,
Mary Sergeant Girls Higher Secondary School,
Palayamkottai,
Tirunelveli District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in respect of order passed by the fourth respondent in O.Mu.No.694/AA3/2019 dated 03.4.2019 and quash the same and consequently direct the fourth respondent to approve the appointment of petitioner as Office Assistant at fifth respondent school and disburse all the service and monetary benefits from 03.01.2019 to the petitioner.

For Petitioner : Mr.S.Chellapandian

For Respondents : Mr.R.Baskaran
Additional Advocate General
Assisted by Mr.S.Shaji Bino
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The writ petitioner was appointed in the fifth respondent school as Office Assistant with effect from 03.01.2019. The fifth respondent school is a minority institution. Citing G.O.(Ms) No.238, School Education Department, dated 13.11.2018, approval to the appointment of the petitioner was rejected. Vide order dated 07.02.2023 made in W.P.(MD)No.13428 of 2020, I upheld the validity of G.O.(Ms) No.238, dated 13.11.2018. I had also held that approval



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of appointments made prior to issuance of G.O.(Ms) No.238, dated 13.11.2018 will be considered on merits and in accordance with law without reference to the said Government Order. Any appointment made after issuance of G.O.(Ms) No.238, dated 13.11.2018 will be subject to the said Government Order. The order impugned in this writ petition is sustained.

3.This writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
SKM

To

- 1.The Secretary to Government,
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- 2.The Director of School Education,
College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.
- 4.The District Educational Officer,
Tirunelveli District, Tirunelveli.



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G.R.SWAMINATHAN, J.

SKM

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