



W.A.(MD)No.893 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.A(MD)No.893 of 2022
and
C.M.P.(MD)No.7448 of 2022

1.The Joint Director of Elementary Education,
(Aided Schools), College, Chennai – 600 006.

2.The District Educational Officer,
Aruppukottai, Virudhunagar District.

3.The Block Educational Officer,
Aruppukottai, Virudhunagar District.

... Appellants

Vs.

1.S.Immanuel

2.C.S.I. Boarding Middle School,
represented by its Correspondent,
Aruppukottai, Virudhunagar District.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letter Patent to set aside the order of this Court, dated 22.02.2021 in W.P.(MD)No.25044 of 2018.

For Appellants :Mr.A.Kannan
Additional Government Pleader



W.A.(MD)No.893 of 2022

JUDGMENT

(Judgment of the Court was delivered by **S.S.SUNDAR, J.**)

This Writ Appeal is directed against the order of learned Single Judge allowing the Writ Petition filed by the first respondent, dated 22.02.2021 in W.P.(MD)No.25044 of 2018.

2.Heard Mr.K.Kannan, learned Additional Government Pleader appearing for the appellants.

3.The first respondent is working in the second respondent school as B.T.Assistant (Tamil). It is admitted that the said post is a sanctioned post and fell vacant on 24.09.2018. When the second respondent management submitted an application to approve the appointment of the first respondent, by order impugned in the Writ Petition, the third appellant rejected the application for disbursement of grant-in-aid. Challenging the same, the first respondent filed a Writ Petition in W.P.(MD)No.25044 of 2018 with the further direction to the appellants 1 and 2 in this appeal to approve the appointment of the first respondent as B.T.Assistant (Tamil) in the second respondent school with effect from 17.09.2018.



W.A.(MD)No.893 of 2022

4.The said Writ Petition was allowed by a learned Single Judge of this Court following a judgment of a Division Bench of this Court in the case of ***Government of Tamil Nadu vs J.Remila***, in ***W.A(MD)No.1350 of 2017***, dated 01.11.2017. Aggrieved by the same, the appellants preferred the above appeal

5.It is admitted that as against the judgment of Division Bench, above referred to, which was followed by the learned Single Judge, no further appeal is filed. Since the issue is directly covered by the judgment of Division Bench, above referred to, and we have no quarrel with the proposition laid down by the Division Bench in the said judgment, we are not inclined to entertain this appeal. Accordingly, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [S.S.Y., J.]
24.08.2022

Index : Yes / No

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W.A.(MD)No.893 of 2022

S.S.SUNDAR, J.

and

S.SRIMATHY, J.

cmr

W.A(MD)No.893 of 2022

24.08.2022