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W.P.No.7033 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.7033 of 2012
and M.P.No.1 of 2012

1. C. Ramamurthy
2. S. Arulnathan
3. D. Anandhu

... Petitioners

Vs.

1. The Government of Tamil Nadu
Rep.by its Commissioner and
Secretary to Government,
Education Department,
Chennai.
2. The Principal Secretary / State Project Director
Sarva Shiksha Abhiyan
Chennai 600 006.
3. The Director of School Education,
Chennai 600 006.
4. The Chief Educational Officer,
Paganagal Building,
Saidapet, Chennai 600 015.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of declaration, declaring the action of the respondents 1 to 4 in not amending the special rules for the Tamil Nadu School Educational



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Subordinate Service rules by adding the word Bachelor Degree in Fine Arts awarded by recognised Universities in Tamil Nadu next to the word “a Diploma in Fine Arts, awarded by the Director of Technical Education” in item (iv) of Column (3) against the category “Art Masters in Secondary and Training Schools” in Column (1) in Annexure II to the special rules for the Tamil Nadu School Educational Subordinate Service (in Section 43 in Volume III of the Tamil Nadu Service Manual, 1970) as was done in the case of Diploma in Fine Arts candidates vide G.O.Ms.No.1636, Education Department dated 17.11.1989 as illegal, arbitrary, vindictive and in violation of Article 14, 16, 19 and 21 of the Constitution of India by holding that the Bachelor Degree in Fine Arts, awarded by the recognised Universities in Tamil Nadu be treated on par with a Diploma in Fine Arts, awarded by the Director of Technical Education for appointment to the post of Art Masters in Secondary and Training Schools and other posts requiring similar qualification, consider, appoint petitioners without insisting Technical Teacher Certificate w.e.f the date of filing the writ petition with all consequential and other attendant benefits.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.V.Nanmaran
Addl.Government Pleader

ORDER

This writ petition has been filed praying to issue writ of declaration to declare the action of the respondents 1 to 4 in not amending the special rules for the Tamil Nadu School Educational Subordinate Service rules by adding the



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word Bachelor Degree in Fine Arts awarded by recognised Universities in Tamil Nadu next to the word “a Diploma in Fine Arts, awarded by the Director of Technical Education” in item (iv) of Column (3) against the category “Art Masters in Secondary and Training Schools” in Column (1) in Annexure II to the special rules for the Tamil Nadu School Educational Subordinate Service (in Section 43 in Volume III of the Tamil Nadu Service Manual, 1970) as was done in the case of Diploma in Fine Arts candidates vide G.O.Ms.No.1636, Education Department dated 17.11.1989 as illegal, arbitrary, vindictive and in violation of Article 14, 16, 19 and 21 of the Constitution of India by holding that the Bachelor Degree in Fine Arts, awarded by the recognised Universities in Tamil Nadu be treated on par with a Diploma in Fine Arts, awarded by the Director of Technical Education for appointment to the post of Art Masters in Secondary and Training Schools and other posts requiring similar qualification, consider, appoint petitioners without insisting Technical Teacher Certificate w.e.f the date of filing the writ petition with all consequential and other attendant benefits.

2. The learned Additional Government Pleader appearing for the respondents drew the attention of this Court to the counter affidavit dated



W.P.No.7033 of 2012

21.07.2012 filed on behalf of the respondents, in which it is stated that the amendment to the Special rules as prayed by this petitioner has already been carried out vide G.O.Ms.No.81, School Education, dated 26.03.2012.

3. In view of the above, nothing survives in this matter for further adjudication and the Writ Petition has become infructuous. Therefore, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.06.2023

dpq

Index : Yes /No

Speaking Order : Yes/No



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J. SATHYA NARAYANA PRASAD, J.

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