



W.P(MD)No.3338 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved on : 03.11.2022

Pronounced on : 08.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3338 of 2020

and

W.M.P.(MD)Nos.2797, 2798 and 15745 of 2020

The Secretary,
Sri Krishnayar Higher Secondary School,
Seepalakottai Road, Chinnamanur,
Theni District – 625 515.

... 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,
Theni, Theni District.

4.The District Educational Officer,
Uthamapalayam, Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorarified Mandamus, calling for the



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records relating to the impugned Government orders issued by the 1st Respondent State Government in G.O.Ms.No.238, School Education, (Pa.Ka.6(1) Department dated 13-11-2018 and the consequential proceedings issued by the 3rd Respondent CEO in Na.Ka.No.9494/A3/2018 dated 18.02.2019 in so far as rendering 1 Record Clerk, 1 Office Assistant and 1 Agri-Colli as surplus is concerned and quash the same.

For Petitioner : Mr.K.Prabhu

For Respondents : Mr.R.Baskaran,
Addl. Advocate General,
Assisted by Mr.S.Shaji Bino,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner-school challenges the validity of G.O.(Ms) No.238, School Education Department, dated 13.11.2018 and the consequential staff fixation made by the Chief Educational Officer. Vide order dated 07.02.2023 made in W.P.(MD)No.13428 of 2020, I had upheld the validity of G.O.(Ms) No. 238, dated 13.11.2018. I also held that approval of appointments made prior to issuance of G.O.(Ms) No.238, dated 13.11.2018 will be considered on merits



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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.

3.This writ petition is disposed of on the same lines. No costs.
Consequently, connected miscellaneous petitions are closed.

08.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The 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,
Theni, Theni District.
- 4.The District Educational Officer,
Uthamapalayam, Theni District.



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G.R.SWAMINATHAN, J.

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