



W.P(MD)No.11081 of 2022

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.11081 of 2022

and

W.M.P(MD)Nos.7944 & 7945 of 2022

The Secretary,
Karapettai Nadar Girls Higher Secondary School,
Tuticorin – 628 001.

... Petitioner

Vs

- 1.The State represented by
The Secretary,
Department of School Education,
Fort St.George, Chennai.
- 2.The Director of School Education,
College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
Tuticorin District, Tuticorin – 628 002.
- 4.The District Educational Officer,
Tuticorin, Tuticorin District.

... Respondents

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 relating to the impugned proceedings issued by the fourth respondent District



W.P(MD)No.11081 of 2022

Educational Officer in O.Mu.No.1254/A3/2021 dated 22.04.2021, quash the same further direct the third respondent Chief Educational Officer to approve forthwith the appointment of T.Dhanalakshmi as Lab Assistant in the petitioner's school w.e.f. the date of his appointment viz., 20.11.2020 with all attendant benefits including the arrears of salary and allowances.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

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 petitioner-school appointed Ms.T.Dhanalakshmi as Lab Assistant on 20.11.2020. It sent proposal for approving her appointment to the fourth respondent. Citing G.O.(Ms) No.238, School Education Department, dated 13.11.2018, the petitioner's request 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 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.



W.P(MD)No.11081 of 2022

Any appointment made after issuance of G.O.(Ms) No.238, dated 13.11.2018 will be subject to the said Government Order. Hence, 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,
Department of School Education,
Fort St.George, Chennai.
- 2.The Director of School Education,
College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
Tuticorin District, Tuticorin – 628 002.
- 4.The District Educational Officer,
Tuticorin, Tuticorin District.



WEB COPY



W.P(MD)No.11081 of 2022

G.R.SWAMINATHAN, J.

skm

**Pre-delivery Order made in
W.P(MD)No.11081 of 2022**

08.02.2023