



W.P(MD)No.16002 of 2020

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.16002 of 2020
and
W.M.P(MD)No.13412 of 2020**

S.Idhaya Aroalbin

... Petitioner

Vs

1.The Chief Educational Officer,
Sivagangai District.

2.The District Educational Officer,
Devakottai,
Sivagangai District.

3.The Correspondent,
De Britto Higher Secondary School,
Devakottai,
Sivagangai 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 pertaining to the order passed by the second respondent in his proceedings in O.Mu.No.2583/A4/2019 dated 24.06.2019 and Quash the same, and direct the respondents to approve the appointment of the petitioner from the date of appointment i.e., 01.04.2019 as Record Clerk with Salary and confer all the consequential benefits.



W.P(MD)No.16002 of 2020

For Petitioner : Mr.V.Panneer Selvam
For Respondents : Mr.R.Baskaran
Additional Advocate General
Assisted by
Mr.J.Ashok
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The writ petitioner was appointed as Record Clerk in the third respondent school with effect from 01.04.2019. The third respondent school is a non-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 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.



W.P(MD)No.16002 of 2020

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

08.02.2023

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

MGA

To

- 1.The Chief Educational Officer,
Sivagangai District.
- 2.The District Educational Officer,
Devakottai,
Sivagangai District.
- 3.The Correspondent,
De Britto Higher Secondary School,
Devakottai,
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W.P(MD)No.16002 of 2020

G.R.SWAMINATHAN, J.

MGA

Pre-delivery Order made in
W.P(MD)No.16002 of 2020

08.02.2023