



W.P(MD)No.15945 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.15945 of 2022

and

W.M.P(MD)Nos.11508 & 11512 of 2022

S.Satheesh Kumar

... Petitioner

Vs

1.The Director of School Education,
College Road, Chennai – 600 009.

2.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

3.The District Educational Officer,
Kuzhithurai Educational District,
Kuzhithurai, Kanyakumari District.

4.The Secretary,
Sree Devi Girls Higher Secondary School,
Kollemcode – 629 160,
Kanyakumari 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 proceeding issued by the third respondent District Educational Officer in O.Mu.No.3710/A2/2021 dated 13.08.2021, quash the



W.P(MD)No.15945 of 2022

same and direct the third respondent District Educational Officer to approve forthwith the appointment of the petitioner as Watchman in the fourth respondent school namely, Sree Devi Girls Higher Secondary School, Kollemcode, Kanyakumari District w.e.f. the date of his appointment viz., 17.12.2018 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 writ petitioner was appointed in the fourth respondent school as Watchman with effect from 17.12.2018. The fifth respondent school is a non-minority institution. 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 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



W.P(MD)No.15945 of 2022

without reference to the said Government Order. Any appointment made after issuance of G.O.(Ms) No.238, dated 13.11.2018 will of course 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

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

SKM

To

- 1.The Director of School Education,
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W.P(MD)No.15945 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.15945 of 2022

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