



W.P(MD)No.16320 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.16320 of 2022**

**and**

**WMP(MD)No.11785 of 2022**

A.Ganeshkumar

... Petitioner

vs.

1.The Chief Educational Officer,  
Virudhunagar District.

2.The District Educational Officer,  
Srivilliputhur, Virudhunagar District.

3.The Secretary,  
K.H.N.U.Perundhalaivar Kamaraj Higher  
Secondary School,  
Krishnapuram,  
Virudhunagar 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 first respondent in his proceedings in Mu.Mu.No. 5872/A5/2021 dated 24.05.2022 and quash the same and direct the respondents to approve the appointment of the petitioner from the date of appointment i.e., 30.07.2021 with all the consequential benefits.



W.P(MD)No.16320 of 2022

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 Office Assistant in the third respondent school with effect from 30.07.2021. 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.16320 of 2022**

WEB COPY

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, Virudhunagar District.

2.The District Educational Officer, Srivilliputhur, Virudhunagar District.



WEB COPY



**W.P(MD)No.16320 of 2022**

**G.R.SWAMINATHAN, J.**

MGA

**W.P(MD)No.16320 of 2022**

**08.02.2023**