



W.P(MD)No.24653 of 2022

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.24653 of 2022

and

W.M.P.(MD)No.18757 of 2022

The Secretary,
Nagammal Memorial High School,
Thandigudi – 624 216,
Kodaikanal, Dindigul District.

... 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,
Dindigul, Dindigul District.

4.The District Educational Officer,
Palani, Dindigul District,
Previously the District Educational Officer,
Batlagundu, Dindigul District.

... Respondents



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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 records relating to the impugned proceeding issued by the 4th respondent DEO in Na.Ka.No.1803/A5/2022 dated --.07.2022 and the consequential proceeding in A.Thi.Mu.No.3925/A1/2022 dated, --.09.2022, quash the same and further direct the 3rd respondent Chief Educational Officer to approve forthwith the appointment of S.Natrayan as Office Assistant in the petitioner's school w.e.f. the date of his appointment viz., 17.08.2022 with all attendant benefits including the arrears of salary and allowances.

For Petitioner : Ms.A.Amala

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 challenges the validity of G.O.(Ms) No.238, School Education Department, dated 13.11.2018 and the consequential staff fixation made by the District Educational Officer. 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



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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.

3.This writ petition is disposed of on the same lines. No costs.
Consequently, connected miscellaneous petition is 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 – 600 009.
- 3.The Chief Educational Officer,
Dindigul, Dindigul District.
- 4.The District Educational Officer,
Palani, Dindigul District.



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G.R.SWAMINATHAN, J.

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08.02.2023