



W.P(MD)No.24920 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.24920 of 2022
and
W.M.P(MD)Nos.19014 & 19015 of 2022

Nadar Higher Secondary School,
Watrap-626 132,
Virudhunagar District,
By its Secretary,
M.Mariappan.

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of School Education,
Fort St.George,
Chennai-9.

2.The Commissioner of School Education (Secondary),
College Road,
Chennai-6.

3.The Chief Educational Officer,
Virudhunagar.

4.The District Educational Officer,
Sivakasi,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, call for the entire records connected with the impugned Government order in G.O.Ms.No. 238 dated 13.11.2018 issued by the first respondent and consequent impugned order passed by the fourth respondent in O.Mu.No.3069/Aa3/2022 dated 13.09.2022 and quash the same and directing the third and fourth respondents to grant permission to fill up the post of Scavenger in the petitioner's school namely Nadar Higher Secondary School, Watrap - 626 132, Virudhunagar District and pass such further or other orders as this Court.

For Petitioner : Mr.K.K.Kannan

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 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 authorities. Vide order dated



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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.

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

08.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

- 1.The Principal Secretary to the Government,
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3.The Chief Educational Officer,
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G.R.SWAMINATHAN, J.

Btr

Pre-delivery Order made in
W.P(MD)No.24920 of 2022

08.02.2023