



Rev.Aplc(MD)No.113 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2024

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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C.M.P.(MD)No.12710 of 2024

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,
Thoothukudi, Thoothukudi District.

4.The District Educational Officer,
Thoothukudi, Thoothukudi District.

..Petitioners

vs.

The Correspondent,
St.Lasalle Higher Secondary School,
Thoothukudi - 628 001,
Thoothukudi District.

... Respondent

Prayer: Review Petition filed under Order 47 Rules 1 and 2 of the Civil Procedure Code read with Section 114 of the Civil Procedure Code to review the order passed in W.A.(MD)No.1153 of 2022, dated 02.12.2022.



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For Petitioners : Mr.S.P.Maharajan
Special Government Pleader

For Respondent : Ms.A.Amala

JUDGMENT

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

The Review Petition is filed to review the order passed in W.A.
(MD)No.1153 of 2022, dated 02.12.2022.

2. The respondent School had appointed one Palpandi as a Scavenger cum Sweeper on 01.06.2018. Thereafter, the Government passed a Government Order in G.O.Ms.No.238, School Education Department, dated 13.11.2018 prohibiting the appointment of non-teaching staffs in Government and Government aided Schools.

3. The Division Bench of this Court had infact followed the dictum of another Division Bench in the case of *The State of Tamil Nadu, Department of School Education vs. The Correspondent, Holy Family Girls Higher Secondary School*, wherein, it was pointed out that even the Government Order in G.O.Ms.No.238, School Education Department,



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dated 13.11.2018 does not deal with the posts of Record Clerk or Scavenger cum Sweeper.

4. The learned Special Government Pleader appearing for the petitioners would however point out that in paragraph no.7 of the review grounds, reliance has been placed upon the Government Order in G.O.Ms.No.64, School Education Department, dated 03.04.2018, wherein the Government had taken a policy decision to withdraw certain posts of non-teaching staffs in Schools.

5. A perusal of the relevant paragraph in the review grounds would show that even the Government Order in G.O.Ms.No.64, School Education Department, dated 03.04.2018 does not cover the post of Scavenger cum Sweeper. It covers Librarian, Library Assistant, Gardener and Water Boy. Hence, even the aforesaid Government Order is not of any help to the petitioners. Thus, we find no error on the face of the records in the order passed by the Division Bench of this Court in W.P.(MD)No.1153 of 2022 on 02.12.2022.



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6. Accordingly, the Review Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

(R.S.M., J.) (J.S.N.P.,J.)
04.09.2024

NCC:Yes
Index:Yes
Speaking order

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