



W.A(MD)No.1297 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1297 of 2024
and
C.M.P(MD)No.10027 of 2024**

1.The State of Tamil Nadu,
Represented 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,
Madurai,
Madurai District.

4.The District Educational Officer,
Melur,
Madurai District.

... Appellants/Respondents

-VS-

The Correspondent,
Lourdhu Annai Girls Higher Secondary School,
K.Pudur – 625 007,
Madurai District.

... Respondent/Writ Petitioner

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order
dated 10.10.2023 passed in W.P(MD)No.17044 of 2023.

For Appellants : Mr.S.P.Maharajan,
Special Government Pleader



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For Respondent : Ms.A.Amala

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JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Challenge in this writ appeal is to the order of the Writ Court dated 10.10.2023 made in W.P(MD)No.17044 of 2023 in and by which the Writ Court had set aside the order passed by the third respondent/third appellant, dated March, 2020 refusing to accord approval to the appointment of an Office Assistant citing G.O.Ms.No.238 School Education [Pa.Ka.6(1)] Department, dated 13.11.2018.

2. The learned single Judge had allowed the writ petition on the sole ground that operation of G.O.Ms.No.238 School Education [Pa.Ka.6(1)] Department, dated 13.11.2018, has been stayed by this Court and the said order has also been followed by a Division Bench of this Court in W.A(MD)No.816 of 2023, dated 14.06.2023.

3. The learned Special Government Pleader would however contend that the said order would apply only to the parties to the said proceedings and not to others.

4. We are not inclined to accept the said contention. When operation



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of a Government Order is stayed, it remains stayed for everyone and not for the petitioner in the writ petition alone. Hence, we see no merit in this writ appeal and therefore, the same is dismissed. The appellants shall implement the order of the learned single Judge within three weeks from today and file a report of compliance. No Costs. Consequently, connected Miscellaneous Petition is closed.

5. List the writ appeal on 29.09.2024 under the caption 'for reporting compliance'.

[R.S.M., J.]

[L.V.G., J.]

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NCC :Yes/No

Index :Yes/No

PM

To:

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pm

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