



Review Application(MD)Nos.90 to 95 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**Review Application(MD)Nos.90 to 95 of 2014
and
M.P(MD)Nos.2 to 2 & 3 to 3 of 2014**

Rev.Aplc(MD)No.90 of 2014:

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.
- 2.The Director of Elementary Education,
College Road,
Chennai – 600 006.
- 3.The District Elementary Educational Officer,
R.M.S Road,
Madurai – 625 001.
- 4.The Assistant Elementary Educational Officer,
Madurai East Range (AT) Kamala Nagar,
Madurai Taluk.

... Petitioners/Respondents 1 to 4

vs.

1.Iruthiya Mary

... 1st Respondent/Appellant

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Review Application(MD)Nos.90 to 95 of 2014

WEB C

2.The Secretary,
Appar Primary School,
Karuppayurani,
Madurai – 625 020.

... 2nd Respondent/5th Respondent

PRAYER : Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.919 of 2011 by the Hon'ble Division Bench of this Court.

Rev.Aplc(MD)No.91 of 2014:

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai – 600 006.

2.The Director of Elementary Education,
College Road, Chennai – 600 006.

3.The District Elementary Educational Officer,
R.M.S Road, Madurai – 625 001.

4.The Assistant Elementary Educational Officer,
Alanganallur,
Madurai Taluk.

... Petitioners/Respondents 1 to 4

vs.

1.S.Velammal

... 1st Respondent/Appellant

2.The Secretary,
Hindu Aided Primary School,
Ayyangoundarpatti,
Alanganallur Union,
Madurai District.

... 2nd Respondent/5th Respondent

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Review Application(MD)Nos.90 to 95 of 2014

WEB C **PRAYER :** Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.925 of 2011 by the Hon'ble Division Bench of this Court.

Rev.Aplc(MD)No.92 of 2014:

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.
 - 2.The Director of Elementary Education,
College Road,
Chennai – 600 006.
 - 3.The District Elementary Educational Officer,
R.M.S Road, Madurai – 625 001.
 - 4.The Assistant Elementary Educational Officer,
Madurai East Range (AT) Kamala Nagar,
Madurai Taluk.
- ... Petitioners/Respondents 1 to 4
- vs.
- 1.M.Radha
... 1st Respondent/Appellant
 - 2.The Secretary,
Sri Marthaiswamy Primary School,
Valachikulam, Chittampatti Post,
Madurai – 625 122.
... 2nd Respondent/5th Respondent

PRAYER : Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.921 of 2011 by the Hon'ble Division Bench of this Court.

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Rev.Aplc(MD)No.93 of 2014:

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.

2.The Director of Elementary Education,
College Road,
Chennai – 600 006.

3.The District Elementary Educational Officer,
R.M.S Road, Madurai – 625 001.

4.The Assistant Elementary Educational Officer,
Madurai East Range (AT) Kamala Nagar,
Madurai Taluk.

... Petitioners/Respondents 1 to 4

vs.

1.K.S.Sulochana

... 1st Respondent/Appellant

2.The Secretary,
Pattupoochi M.Irulandi,
Mudaliar Primary School,
Madurai – 625 002.

... 2nd Respondent/5th Respondent

PRAYER : Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.923 of 2011 by the Hon'ble Division Bench of this Court.



Review Application(MD)Nos.90 to 95 of 2014

Rev.Aplc(MD)No.94 of 2014:

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.

2.The Director of Elementary Education,
College Road,
Chennai – 600 006.

3.The District Elementary Educational Officer,
R.M.S Road, Madurai – 625 001.

4.The Assistant Elementary Educational Officer,
Madurai East Range (AT) Kamala Nagar,
Madurai Taluk.

... Petitioners/Respondents 1 to 4

vs.

1.R.Krishnasamy Naidu

... 1st Respondent/Appellant

2.The Secretary,
Appar Primary School,
Karuppayurani,
Madurai – 625 020.

... 2nd Respondent/5th Respondent

PRAYER : Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.922 of 2011 by the Hon'ble Division Bench of this Court.



Review Application(MD)Nos.90 to 95 of 2014

Rev.Aplc(MD)No.95 of 2014:

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.

2.The Director of Elementary Education,
College Road,
Chennai – 600 006.

3.The District Elementary Educational Officer,
R.M.S Road, Madurai – 625 001.

4.The Assistant Elementary Educational Officer,
Madurai East Range (AT) Kamala Nagar,
Madurai Taluk.

... Petitioners/Respondents 1 to 4

vs.

1.M.Irulayee

... 1st Respondent/Appellant

2.The Secretary,
Pattupoochi M.Irulandi,
Mudaliar Primary School,
Madurai – 625 002.

... 2nd Respondent/5th Respondent

PRAYER : Review Application filed under Order 47 Rule 1 and 2 of C.P.C read with Section 114 of C.P.C as against the order, dated 16.11.2011 in W.A(MD)No.924 of 2011 by the Hon'ble Division Bench of this Court.

For Petitioners
(In all W.Ps')

: Mr.D.Sadiq Raja
Special Government Pleader

For Respondent No.1
(In all W.Ps')

: Mr.S.Alagarsamy



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COMMON ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

These review applications are filed by the respondents 1 to 4/Department, seeking to review the order dated 16.11.2011 passed by this Court in W.A(MD)Nos.919, 925, 921, 923, 922 & 924 of 2011.

2.Heard the learned appearing on either side and perused the materials available on record.

3.The learned Special Government Pleader appearing for the review applicants would submit that the first respondent/writ petitioners were employed in the aided Schools and therefore, the Government Orders in G.O.Ms.No.210, School Education (G-1) Department, dated 14.08.2009 and G.O.Ms.No.234, Department of School Education (G2), dated 10.09.2009 or subsequent orders will not apply to the Teachers, who served in the aided Schools. In fact, the aforesaid G.Os' relate to the Teachers, who served in Panchayat Schools at the relevant point of time. However, the said factum has not been brought to the notice of this Court at the time of disposal of the Writ Appeal.

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4.We have carefully perused the above referred Government Orders. In fact, these Government Orders are applicable to the Panchayat School Teachers alone. Therefore, we are in agreement with the stand taken by the review applicants/Department. Hence, the Judgment passed by this Court in W.A(MD)Nos.919, 925, 921, 923, 922 & 924 of 2011 calls for interference of this Court.

5.Accordingly, the Review Applications stand allowed and the common Judgment dated 16.11.2011 in W.A(MD)Nos.919, 925, 921, 923, 922 & 924 of 2011 stand set aside. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
05.02.2024

NCC : Yes / No
Index : Yes / No
ps



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To

- 1.The Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 006.
- 2.The Director of Elementary Education,
College Road,
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Madurai Taluk.



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Review Application(MD)Nos.90 to 95 of 2014

D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
Review Application(MD)Nos.90 to 95 of 2014

DATED : 05.02.2024

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