



W.A.(MD) No.1952 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2024

CORAM:

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

**W.A.(MD)No.1952 of 2024
and
C.M.P.(MD) No.14433 of 2024**

1.The Chief Educational Officer,
Virudhunagar District.

2.The District Educational Officer (Secondary),
Sivakasi,
Virudhunagar District.

... Appellants

-vs-

Thiru R.V.Thevar Memorial Girls Higher Secondary School,
Rep. by its Secretary,
Cholapuram South,
Rajapalayam,
Virudhunagar District.

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent against the order, dated
14.06.2024, passed in W.P.(MD)No.12611 of 2024.



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For Appellants : Mr.S.P.Maharajan
Special Government Pleader
For Respondent : Mr.V.Panneer Selvam

JUDGMENT

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

Challenge in the Writ Appeal is to the order of the Writ Court, dated 14.06.2024, in and by which, while setting aside the order passed by the first appellant herein / first respondent in the Writ Petition refusing to approve the appointment of one A.Dhivya as Junior Assistant in the respondent School, citing G.O.(Ms)No.238, School Education [Pa.Ka.6(1)] Department, dated 13.11.2018, the learned Single Judge has relied upon the order of this Court in W.P.(MD)No. 7983 of 2020. It is seen therefrom that G.O.(Ms)No.238, School Education [Pa.Ka.6(1)] Department, dated 13.11.2018, has been upheld by this Court and an appeal filed by the Government, is pending.

2. In similar circumstances, in State of Tamil Nadu, Rep. by its Secretary, Department of School Education and others vs. The Correspondent, Lourdhu Annai Girls Higher Secondary School, K.Pudur,



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Madurai [W.A.(MD)No.1297 of 2024, dated **07.08.2024**], the contention of the learned Special Government Pleader that the stay of operation of G.O.(Ms)No. 238, dated 13.11.2018, granted by this Court will apply only to the parties to the litigation alone, has been rejected by us.

3. In view of the same, we see no merit in the Writ Appeal. The Writ Appeal is, therefore, dismissed. No costs. The appellants shall implement the order of the learned Single Judge within a period of eight weeks from the date of receipt of a copy of this judgment and pay the arrears of salary payable to the Junior Assistant within a period of 12 weeks from the date of receipt of a copy of this judgment. Consequently, connected Miscellaneous Petition is closed.

NCC : No
Index : No
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[R.S.M., J.] [L.V.G., J.]
19.10.2024

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