



W.A(MD) No.797 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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and
C.M.P.(MD)No.4501 of 2020

- 1.The Director of School Education,
Chennai-6.
- 2.The Chief Educational Officer,
Ramanathapuram District.
- 3.The District Educational Officer,
Ramanthapuram,
Ramanthapuram District. ... Appellants / Respondents

Vs.

- 1.B.Joseph Andrews ... 1st Respondent / Writ Petitioner
- 2.The Correspondent,
St.Joseph Higher Secondary School,
Verkottu, Rameswaram,
Ramanathapuram District. ... 2nd Respondent / 4th Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 22.01.2020 passed in W.P. (MD)No.1092 of 2020.

For Appellant : Mr.C.Venkatesh Kumar
Special Government Pleader

For Respondents : Mr.V.Panneer Selvam

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The department is on appeal challenging the order dated 22.01.2020 made in W.P.(MD)No.1092 of 2020 filed by the first respondent herein.

3. The first respondent was appointed as Junior Assistant in the second respondent school with effect from 03.10.2006. During the relevant period, there was a ban of recruitment. Subsequently, the ban



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was lifted. His appointment was approved with effect from 04.01.2010.

Subsequently, the writ petitioner represented to the department seeking approval from the date of the original appointment ie., on 03.10.2006.

His request was negatived by the District Educational Officer, Ramanathapuram vide order dated 30.05.2018. Challenging the same, W.P.(MD)No.1092 of 2020 was filed. The learned single Judge allowed the writ petition vide order dated 22.01.2020. Aggrieved by the same, this writ appeal has been filed.

4. The learned Special Government Pleader appearing for the appellant reiterated all the contentions set out in the grounds of appeal and called upon this Court to set aside the order of the learned single Judge and allow the writ appeal as prayed for.

5. Per contra, the learned counsel appearing for the writ petitioner took us through the reasons assigned by the learned single Judge and submitted that they are sound and convincing. He also would add that the ban was subsequently quashed and therefore, the department was not justified in granting approval only from the subsequent date.



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6. We carefully considered the rival contentions and went through the materials on record. This writ appeal can be disposed of on a short ground. Approval was granted in favour of the writ petitioner vide proceedings dated 10.03.2010. It clearly states that the writ petitioner's appointment was approved with effect from 04.01.2010. Till date, the writ petitioner did not choose to assail the said order. The said order remains unchallenged. This aspect of the mater was not taken note of by the learned single Judge. The order passed by the learned single Judge is set aside. The writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
12.08.2025

Index : Yes / No
Internet : Yes / No
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