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WP No. 25072 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 25072 of 2026

AND

WMP Nos.27361 & 27363 of 2026

1. P.Sampathkumar
S/o.K.Pachamuthu,
Secondary Grade Teacher
Panchayat Union Middle School
Chellapillai Kuttai,
Omalur Union,
Salem District – 636012.
2. R.Gunasekar
S/o.Rajaram,
Secondary Grade Teacher
Panchayat Union Primary School
Kozhippattu
Kaanai union
Villupuram District.
3. S.Amudha
W/o.M.Mahendran
Secondary Grade Teacher
Panchayat Union Middle School
Padiyanallur
Sholavaram Union
Thiruvallur District.

..Petitioners

Vs

1. The State of Tamilnadu
Rep. by its Principal Secretary to Government,
School Education Department
Secretariat, Fort St.George,
Chennai – 600009.



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2. The Director of School Education
Perasiriyar Anbazhagan Kalvi Valagam
College Road, Chennai - 600006.

3. The Director of Elementary Education
Perasiriyar Anbazhagan Kalvi Valagam
College Road, Chennai - 600006.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned circular issued by the 2nd and 3rd respondent in Na.Ka.No.032782/C3/E1/2026 dated 08.06.2026 and Na.Ka.No.009324/D1/2026 dated 08.06.2026 and to quash the same insofar as deployment of Secondary Grade Teachers in Elementary Education is concerned and consequently directing the respondents to conduct year-wise promotion counselling for the panel years 2022 and 2023 to the posts of Primary School Headmaster and B.T.Assistant by drawing the respective panels in accordance with the Special Rules for the Tamil Nadu Elementary Education Subordinate Service, in compliance with the orders passed by this Hon'ble Court in W.P.Nos.19189 of 2026 and 19145 of 2026 dated 09.06.2026 and thereafter conduct the deployment counselling, if required in accordance with law.

For Petitioner:

Mr.G.Sankaran
Senior Counsel
for Mr.S.Nedunchezhiyan

For Respondents:

Mr.P.V.Balasubramaniam
Additional Advocate General
Assisted by Mr.A.R.Balaji
Government Advocate for R1 to R3



ORDER

The writ petition has been filed seeking the following relief :

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“ To call for the records relating to the impugned circular issued by the 2nd and 3rd respondent in Na.Ka.No.032782/C3/E1/2026 dated 08.06.2026 and Na.Ka.No.009324/D1/2026 dated 08.06.2026 and to quash the same insofar as deployment of Secondary Grade Teachers in Elementary Education is concerned and consequently directing the respondents to conduct year-wise promotion counselling for the panel years 2022 and 2023 to the posts of Primary School Headmaster and B.T.Assistant by drawing the respective panels in accordance with the Special Rules for the Tamil Nadu Elementary Education Subordinate Service, in compliance with the orders passed by this Hon'ble Court in W.P.Nos.19189 of 2026 and 19145 of 2026 dated 09.06.2026 and thereafter conduct the deployment counselling, if required in accordance with law.”

2. The petitioners herein are working as Secondary Grade Teachers in the Elementary Education Department. They have been declared as surplus teachers and are sought to be deployed, pursuant to the impugned proceedings dated 08.06.2026, issued by the 2nd and 3rd respondents on 08.06.2026. It is also informed that the deployment counselling is scheduled to be conducted today i.e., on 02.07.2026. It is also the contention of the petitioners that the Promotion Counselling for the post of Primary School Headmaster, Middle



School Headmaster and B.T.Assistant was conducted way back in the year 2021, and thereafter, no Promotion Counselling was held for the years 2022-2023 panel, despite large number of vacancies for the promotional posts.

3. Aggrieved by the impugned proceedings, the petitioners are before this Court seeking to quash the said proceedings and also to direct the respondents to conduct year-wise Promotion Counselling for the years 2022-2023, the petitioners are before this Court.

4. The learned Senior Counsel appearing for the petitioner would contend that staff fixation has to precede the Promotional Counselling and the staff fixation is done on 1st August of every year. However, the respondents insist on conducting the promotion counselling and are proceeding to conduct the deployment counselling. He would draw the attention of the Court to the General Statutory Rules issued by the School Education Department vide G.O.Ms.No.14, School Education (MS) dated 13.01.2023 with regard to staff fixation and deployment of surplus staff.

5. Rule 32 of the Tamil Nadu Private Schools (Regulation) Rules, 2023 would read as below :



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"32. Staff fixation and deployment of surplus staff on retrenchment in an aided private school :-

The following norms shall be followed in the fixation of the strength of the staff based on the strength of the pupils studying in the standards /sections for which grant has been paid by the Government prior to the Academic Year 1991-1992 and the consequential deployment of the surplus staff :-

A. Staff fixation :-

- (1) The strength of the staff of every aided private school shall be fixed based on the strength of the pupils as on the 1st day of August of every academic year.*
- (2) The requirement of each aided private school shall be assessed separately by treating each school as a 'unit' for the purpose of fixing the strength of the staff.*
- (3) The posts sanctioned to an aided private school prior to the academic year 1991-1992 and the strength of the staff fixed based on the strength of the pupils as on the 1st date of August of the academic year in which the fixation is done, whichever is less shall be the norms for fixing the strength of the staff of that academic year.*

B. Deployment of surplus staff :-

- (1) The District Educational Officer concerned in respect of Primary and Middle Schools, the Chief Educational Officer concerned in respect of High and Higher Secondary schools and the Joint Director concerned in respect of Anglo-Indian schools shall fix the strength of the staff based on the strength of the pupils updated in the Educational Management Information System (EMIS) as on the*



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1st day of August of every academic year and shall complete the assessment process on or before the 12th day of August of that academic year.

(2) The staff fixation statement along with the list of surplus staff identified shall be forwarded to the Secretary of the school committee or the management of the school concerned on or before the 15th day of August of that academic year.

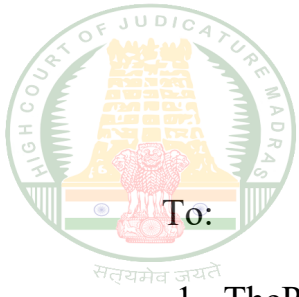
6. The learned Additional Advocate General on instructions would submit that since the Deployment Counselling has been fixed on 02.07.2026, the same would proceed, but would be given effect to only in September 2026, subject to ultimate staff fixation.

7. As a consensus have been arrived at amongst the parties, this Court is not traversing into the merits of the case, and accordingly, the writ petition is disposed of in the said lines. No costs. Consequently, connected miscellaneous petitions are closed.

02-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS



To:

1. The Principal Secretary to Government,
State of Tamilnadu
School Education Department
Secretariat, Fort St. George,
Chennai – 600009.
2. The Director of School Education
Perasiriyar Anbazhagan Kalvi Valagam
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P.T.ASHA J.

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