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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 437 of 2026

and

C.M.P.No.4171 of 2026

R.Suresh
S/O. Rajakannu,
No 23, Rathinam 2nd Street,
Vyasarpadi, Chennai 600 039.

..Appellant(s)

Vs

1. The State of Tamilnadu
Rep. By The Secretary To Government,
Education Department, Fort St. George,
Chennai 600 039.
2. The Director of School Education
Directorate of School Education, College
Road, Chennai 600 006
3. The Joint Director of School Education
(Higher Secondary) Directorate of School
Education, College Road, Chennai 600 006
4. The Chief Educational Officer
Chennai District, Egmore, Chennai 600 008
5. The District Educational Officer
Chennai North, DEO Secondary North Office,
Villivakkam, Chennai 600 049.
6. The Secretary / Correspondent Of The School
Sir M.Ct. Muthiah Chettiar Hr. Sec. School, No
23 Raja Annamalai Road, Purasawalkam



Chennai 600 084

7. The Headmaster

Sir M.Ct. Muthiah Chettiar Hr. Sec. School, No
23 Raja Annamalai Road, Purasawalkam
Chennai 600 084

8. M.Loganathan

Hindi Teacher, Sir M.Ct. Muthiah Chettiar Hr.
Sec. School, No 23 Raja Annamalai Road,
Purasawalkam Chennai 600 084

..Respondent(s)

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in WP.No. 26313/2024 dated 11.9.2024 on the file of this Honble Court.

For Appellant(s): Mr.R.Balaguru Swamy

For Respondent(s): Dr.R.Gouri, Government Counsel for R1 to R5,
Ms.Abitha Banu for R6,
Mr.M.Sriram for R8,
No Appearance for R7

JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The degrees obtained through Open University System without undergoing the regular pattern of education as per the UGC Regulation i.e., 10+2+3+2 is invalid as declared by the Hon'ble Supreme Court of India in the case of ***Annamalai University represented by Registrar and another vs. Sibi Madan Gabriel and others*** reported in ***2009(4) SCC 590***¹.

2. The writ petition has been instituted by the appellant to declare the appointment of the . 8th respondent to the post of P.G. Assistant Hindi is

¹2009(4) SCC 590



invalid. Therefore, a writ of quo-warranto is to be issued. The Apex Court, while holding that the Open University degrees are invalid, protected the appointments made prior to the judgment. In the present case, the 8th respondent was appointed as B.T.Assistant on 09.06.1997 and promoted to the post of PG Assistant, vide order dated 14.08.2009, issued by the Chief Educational Officer, North, Chennai -8.

3. Learned Single Judge also made a finding that the appellant approached the Court belatedly. In view of the fact that the 8th respondent was appointed prior to the judgment of the Hon'ble Supreme Court, the said appointment, cannot be held as invalid.

4. With these observations, the Writ Appeal stands dismissed. No costs. Consequently connected miscellaneous petition is closed.

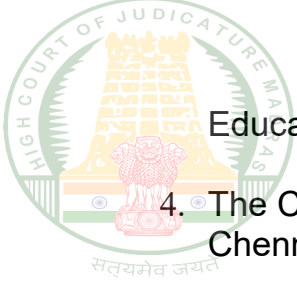
(S.M.S.,J.) (N.S.,J.)
20-07-2026

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

VSI

To

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2. The Director Of School Education
Directorate Of School Education, College
Road, Chennai 600 006
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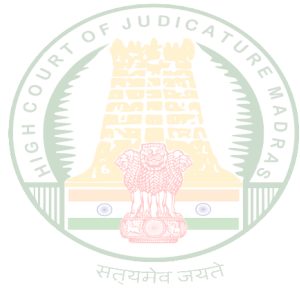
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

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