

W.P.(MD)No.7582 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.07.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.7582 of 2026

The Correspondent,
Madarasa -E- Mohamedia Middle School,
1/3, Madurai Road,
Palakarai, Trichy – 620 008,
Trichy District.

... Petitioner

vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Elementary Education,
College Road,
Chennai – 600 009.
- 3.The District Educational Officer,
(Elementary Education),
1st Floor, Old District Collectorate Building,
District Collectorate Campus,
Trichy District.
- 4.The Block Educational Officer,
Trichy Urban,
Corporation Middle School,
Woraiyur East,
Trichy District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding of the 3rd respondent District Educational Officer in O.Mu. No.0164/a5/2025 dated 25.07.2025 (received on 07.08.2025), quash the same and further direct the 3rd respondent District Educational Officer herein to approve forthwith the appointment of B.Jain Bee as Pre-vocational sewing teacher in the petitioner's school namely, Madarasa-E-Mohamedia Middle School, Trichy w.e.f. 06.04.2023 and disburse the grant-in-aid towards her salary and allowances w.e.f., the said date with all attendant benefits.

For Petitioner : Ms.A.Amala

For Respondents : Mr.M.Dinesh Hari Sudarsan
Counsel for Government of Tamil Nadu

ORDER

Heard Ms.A.Amala, for the Petitioner and Mr.M.Dinesh Hari Sudarsan, learned counsel for Government of Tamil Nadu, for the Respondents.

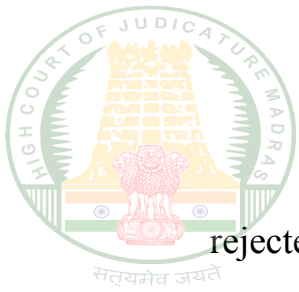
2. This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to quash the impugned proceeding of the 3rd respondent District Educational Officer in O.Mu. No.0164/a5/2025 dated 25.07.2025 (received on 07.08.2025) and further direct the 3rd



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respondent District Educational Officer herein to approve forthwith the appointment of B.Jain Bee as Pre-vocational sewing teacher in the petitioner's school namely, Madarasa-E-Mohamedia Middle School, Trichy w.e.f. 06.04.2023 and disburse the grant-in-aid towards her salary and allowances w.e.f., the said date with all attendant benefits.

3. The petitioner is the Correspondent of a minority school. One Mrs.B.Jain Bee was appointed as a Pre-Vocational Sewing Teacher in the petitioner's school on 06.04.2023 against an aided post. Thereafter, the petitioner submitted a proposal seeking approval of the said appointment. Since the respondents did not grant approval, the petitioner approached this Court by filing W.P.(MD) No.25454 of 2023. The said Writ Petition was disposed of by order dated 19.10.2023, pursuant to which the proposal was reconsidered by the 3rd respondent. However, the same was rejected by the impugned proceedings dated 25.07.2025 on the ground that the appointee had acquired the Higher Secondary (12th Standard) qualification and the technical qualification simultaneously during the years 2008 to 2010 and, therefore, the said qualifications could not be treated as valid. Consequently, the proposal submitted by the petitioner seeking approval of the appointment was



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rejected by the 3rd respondent through the impugned proceedings.

WEB COPY Hence, the present Writ Petition.

4. A perusal of the impugned proceedings would disclose that the 3rd respondent has relied upon the qualifications prescribed for the post of Full-Time Vocational Instructor (Sewing) under the Tamil Nadu Elementary Educational Subordinate Service Special Rules, 2020. The learned counsel for the petitioner, at the outset, contended that the said Rules have no application to private schools, which are governed by the Tamil Nadu Private Schools (Regulation) Act, 1973 and the Rules framed thereunder in 1974. Therefore, according to her, the stand taken by the 3rd respondent in the impugned proceedings is wholly erroneous. She further contended that the teacher concerned had pursued the Higher Secondary (12th Standard) course through the private mode and not through the regular mode. Hence, there could be no prohibition against acquiring the Higher Secondary qualification and the technical qualification simultaneously.

5. In response to the notice ordered by this Court, the 3rd respondent filed a detailed counter affidavit reiterating the stand taken in



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the impugned proceedings. The 3rd respondent also placed reliance on the decision of the Full Bench of this Court in W.P. No.2807 of 2014, dated 26.04.2021, contending that two degree programmes pursued simultaneously during the same academic year through the regular mode cannot be recognized as valid qualifications.

6. This Court has carefully considered the submissions made on either side and perused the entire materials available on record.

7. It is not in dispute that the petitioner's school is not governed by the Tamil Nadu Elementary Educational Subordinate Service Special Rules, 2020, which have been relied upon by the 3rd respondent in the impugned proceedings. It is an admitted fact that the petitioner's school is governed by the Tamil Nadu Private Schools (Regulation) Rules, 1974, referred to above. A perusal of the Higher Secondary Course Certificate produced by the petitioner clearly reveals that the teacher concerned pursued the Higher Secondary Course through the private mode and not through the regular mode up to March 2010. If that be so, the question of applying the decision of the Full Bench relied upon by the respondents does not arise. The said decision would apply only in



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cases where two courses are pursued simultaneously through the regular mode during the same academic year. In the present case, the Higher Secondary qualification was acquired through the private mode. Therefore, there can be no impediment to placing reliance upon the technical qualification acquired by the teacher concerned for her appointment as a Pre-Vocational Instructor (Sewing).

8. Thus, it is evident that the reasons assigned by the 3rd respondent in the impugned proceedings are wholly unsustainable in law and cannot be sustained. Accordingly, the impugned proceedings in O.Mu. No.0164/A5/2025 dated 25.07.2025 (received on 07.08.2025) are hereby quashed. The 3rd respondent is directed to accord approval to the appointment of the teacher concerned, namely, B.Jain Bee, as a Pre-Vocational Instructor (Sewing) in the petitioner's school with effect from the date of her actual appointment and to pass appropriate consequential orders, including the sanction of all attendant monetary and service benefits, as expeditiously as possible and, in any event, within a period of six weeks from the date of receipt of a copy of this order.



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WEB COPY 9. In view of the above, the Writ Petition is **allowed**. There shall be no order as to costs.

01.07.2026

Index :Yes / No

Internet :Yes / No

NCC :Yes / No

Nsr

To:

- 1.The Secretary,
Department of School Education,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Elementary Education,
College Road, Chennai – 600 009.
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MUMMINENI SUDHEER KUMAR, J.

Nsr

Order made in
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