



W.P.(MD) No.9909 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.9909 of 2026
and
W.M.P.(MD) No.7832 of 2026

The Correspondent
Yettacode Higher Secondary School
Veeyannoor, Kanyakumari District

... Petitioner

-VS-

1.The State of Tamil Nadu
rep.by its Secretary
Department of School Education
Fort St.George, Chennai-600 009

2.The Director of School Education
College Road, Chennai-600 006

3.The Chief Educational Officer
Nagercoil, Kanyakumari District

4.The District Educational Officer
Marthandam, Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue
a writ of certiorarified mandamus calling for the records relating to the



W.P.(MD) No.9909 of 2026

WEB COPY

impugned proceeding issued by the third respondent Chief Educational Officer in Na.Ka.No.3307/AA6/2025, dated 02.12.2025, quash the same and further direct the third respondent Chief Educational Officer herein to approve forthwith the appointment of Mr.Aljin Roy M.X as Physical Director Grade-I in the petitioner's school, namely, Yettacode Higher Secondary School, Veeyannoor, w.e.f. 10.06.2024 and disburse the grant-in-aid towards his salary and allowance w.e.f. the said date.

For Petitioner : Ms.A.Amala

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

ORDER

This writ petition has been filed by the petitioner – School aggrieved by the proceedings bearing Na.Ka.No.3307/AA6/2025, dated 02.12.2025, issued by the third respondent, whereby the proposal submitted by the petitioner – School seeking approval of the appointment of one Aljin Roy M.X., as Physical Director Grade-I in their School, was negated by citing the pendency of a writ petition before this Court in W.P.(MD) No.11886 of 2024 and by referring to Rule 15(4) of the Tamil Nadu Recognised Private Schools



W.P.(MD) No.9909 of 2026

WEB COPY (Regulation) Rules, 1974.

2. Learned counsel for the petitioner contends that pendency of the earlier writ petition in W.P.(MD) No.11886 of 2024 has nothing to do with the consideration of the proposal submitted by the petitioner – School as there was no interim order passed by this Court in the said writ petition.

3. However, as a matter of fact, the said writ petition has been dismissed by this Court today and hence, any such reason assigned in the impugned proceedings has become non-existence henceforth.

4. The other reason assigned in the impugned proceedings is by making a reference to Rule 15(4) of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974.

5. This Court, time and again, held that the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974, have no application to the Minority Schools and in this Court, a reference to a decision of the learned Division Bench of this Court in ***Eka Ratchagar Sabai Higher Secondary School & another vs. K.Sumathi & another***, reported in ***2007-4-L.W.617***,



W.P.(MD) No.9909 of 2026

WEB COPY

would be relevant, wherein it has been held hereunder:

“15. Judged in light of the observations made by the Supreme Court in (2007) 1 SCC 386 (supra), the provisions which lay down qualification for appointment of teachers are obviously required to be followed; whereas the procedure contemplated in Rule 15(4) of the Rules severely constricting the scope of the discretion of the Management in appointment of teachers and confining the same to a particular source would be violative of Article 30(1). Therefore, such provisions are not required to be followed by the minority institutions. In view of the above, we cannot agree with the view expressed by the learned single Judge under the impugned judgment and such decision is liable to be over-turned.”

6. In the light of the above, this Court is of the considered view that this is a fit case, where the matter should be remanded back to the third respondent for re-considering the proposal submitted by the petitioner – School, seeking approval of the appointment of the Physical Director Grade-I in their School in accordance with law.

7. Accordingly, the impugned proceedings dated 02.12.2025,



W.P.(MD) No.9909 of 2026

WEB COPY

issued by the third respondent, is hereby quashed. The petitioner – School is granted liberty to re-submit the proposal seeking approval of the appointment of the Physical Director Grade-I in their School to the third respondent and on re-submission of the proposal by the petitioner – School, the third respondent shall pass appropriate orders therein afresh, as expeditiously as possible, at any rate within a period of three weeks from the date of re-submission of the proposal by the petitioner – School.

8. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.07.2026

(2/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

krk

To:

1.The Secretary,
Department of School Education,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.

2.The Director of School Education,
College Road, Chennai-600 006.

Page 5 of 7



W.P.(MD) No.9909 of 2026

WEB COPY

- 3.The Chief Educational Officer,
Nagercoil, Kanyakumari District.
- 4.The District Educational Officer,
Marthandam, Kanyakumari District.



WEB COPY



W.P.(MD) No.9909 of 2026

MUMMINENI SUDHEER KUMAR, J.

krk

W.P.(MD) No.9909 of 2026

and

W.M.P.(MD) No.7832 of 2026

15.07.2026

(2/2)