



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-07-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WA(MD) No. 1013 of 2026

and

C.M.P.(MD)No.9114 of 2026

M.Malliha

..Petitioner(s)

Vs

1. The Chief Educational Officer,
O/o. The Chief Educational Officer,
Nagarcoil,
Kanyakumari District.
2. The District Educational Officer (Elementary
Education),
Kanyakumari District at Nagarcoil,
Kanyakumari District.
3. The Corporate Manager,
CSI Corporate Management of Schools,
CSI Diocesan Office,
71A, Dennis Street,
Nagarcoil, Kanyakumari District.
4. The Correspondent,
Dethie Higher Secondary School for Girls,
Nagarcoil, Kanyakumari District.
5. The Administrative Committee,
Rep by the Administrative Secretary,
CSI Diocesan Office,
71A, Dennis Street,
Nagarcoil, Kanyakumari District.

..Respondent(s)



Writ Appeal filed under clause 15 of letters patent, praying to prefer this memorandum of grounds of writ appeal against the order passed dated 01.06.2026 in W.P.(MD)No.29380 of 2025 on the file of this Court.

For Petitioner(s): Mr.B.Vinothkumar
For Respondent(s): Mr.S.I.Muthiah (R1 & R2)
Counsel for State

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

This petition has been filed questioning the order of the learned Single Judge in W.P.(MD)Nos.29379 and 29380 of 2025 by the petitioner in W.P. (MD)No.29380 of 2025 aggrieved by the order dated 01.06.2026.

2.The writ petitions had been filed by the appellant herein and yet another petitioner in the nature of Certiorarified Mandamus seeking records relating to an order passed by the first respondent, Chief Educational Officer, Nagercoil and Kanyakumari District, dated 21.04.2025 and to quash the same and direct the respondents to pay salary to the petitioner for re-employment services for the period from 01.08.2023 till 31.05.2024 and also provide service and retirement benefits.

3.The appellant herein had worked as B.T.Assistant (Social Science) in the 4th respondent school/ Dethie Higher Secondary School for Girls at



Nagercoil in Kanyakumari District. They were under the management of the 3rd respondent, CSI Corporate Management of Schools, Nagercoil. The appellant was due to retire on attaining the age of superannuation on 31.07.2023. The appellant sought extension of service from 01.08.2023 till the end of the academic year/ 31.05.2024. The said request was not considered. The appellant therefore filed W.P.(MD)No.18104 on 2023. Another similarly placed Teacher had filed writ petition in W.P.(MD)No.18105 of 2023.

4.The learned Single Judge of this Court by order dated 26.07.2023 had granted an interim injunction restraining the respondents therein, who are the respondents herein from issuing relieving order on attaining the age of superannuation. There was no direction that they could be permitted to continue the service till the end of the academic year or that they would be automatically entitled for pay for the said period or they would be entitled for service benefits. The appellant herein discharged her duty. She could have been satisfied that she had been of assistance to the students and that some of the students would have benefited from her experience and teaching capabilities. But however, she filed W.P.(MD)No.29380 of 2025 and the other similarly placed Teacher had filed W.P.(MD)No.29379 of 2025. Both the writ petitions were taken up together by the learned Single Judge and by common order dated 01.06.2026, they were both dismissed. It was the reasoning of the learned Single Judge that there were surplus Teachers, who had been deputed to the 4th



respondent school and when there were surplus Teachers, there was no necessity for the appellant herein to continue to discharge duty as a Teacher.

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5.If ever she was interested in the welfare of the students, the appellant could have done it as a service and not for payment of salary. There were already Teachers who are on the roles of the 4th respondent and there cannot be a direction issued to pay again for surplus Teachers, when Teachers were available. The appellant had retired on attaining the age of superannuation on 31.07.2023. There cannot be any further extension, particularly because there were surplus Teachers, who could have also taken care of the interests of the children. There is no argument advanced that it is the appellant alone who is capable of taking classes and that the surplus Teachers were incapable of taking classes. We are not inclined to interfere with the order of the learned Single Judge.

6.This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(C.V.K.,J.) (R.S.V.,J.)
17-07-2026

Index : Yes
Internet : Yes
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WA(MD) No. 1013 of 2



**C.V.KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.**

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