



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on: 17.07.2026

Pronounced on: 06.08.2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 20355 of 2026

R.M.Jayaraman

...Petitioner

Vs

1.The Director of Elementary Education,
College Road, Chennai-6.

2.The District Educational Officer (Elementary),
Thanjavur District, Thanjavur.

3.The Block Educational Officer,
Thirupanandal Block, Thanjavur District.

4.Senthamil Selvi Aided Primary School,
Rep. By its Block Educational Officer,
Kunathalaipadi, Thirupanandal Block,
Thiruvidai Marudur, Thanjavur

...Respondent(s)

For Petitioner(s): Mr.S.N.Ravichandran

For Respondent(s): M/s.K.Porkodi,
Special Government Pleader – For-R-1 to R-3

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent to sanction selection grade increment to the petitioner on completion of 20 years of service with effect from 28.09.2025, in the post of Head Master, by considering the representation of the



petitioner dated 22.12.2025 and 20.01.2026.

ORDER

The present writ petition has been filed for issuance of a Writ of Mandamus, directing the 4th respondent to sanction selection grade pay to the petitioner on completion of 20 years of service with effect from 28.09.2025, in the post of Headmaster, by considering the representation of the petitioner dated 22.12.2025 and 20.01.2026.

2.1. The brief facts of the case are that the petitioner had passed B.Sc. (Science) in the year 1990, B.Ed. in 1993 and registered the same in the District Employment Exchange. The petitioner was appointed as a Secondary Grade Teacher with B.Ed. qualification on 26.12.1997 by Aided Middle School Aaduthurai in the sanctioned vacancy that arose due to the retirement of one K.Panneerselvam, Secondary Grade Teacher on 31.05.1997 and the same was approved in the time scale of pay vide order dated 29.5.1998 of the District Elementary Education Officer (hereinafter referred as DEEO), Thanjavur, with effect from 26.12.1997. Thereafter, due to shortfall of student strength, the petitioner was deployed to Madhar Mandram Aided Primary School on 28.12.2001. Then pursuant to G.O.Ms.No.155, dated 03.10.2002, the petitioner was deputed to undergo Child Psychology Training for a period of one month from 02.05.2003 to 31.05.2003 and after completion of training,



his appointment as Secondary Grade Teacher was once again approved with effect from 02.06.2003 in the regular time scale of pay of Rs.4,500/-. By way of mutual transfer, the petitioner was transferred from Madhar Mandram Aided Primary School to Senthamilselvi Aided Primary School, while one V.Ananthi, Secondary Grade Teacher, was simultaneously transferred from Senthamilselvi Aided Primary School to Madhar Mandram Aided Primary School. The said mutual transfer was effected on 05.09.2005 and was duly approved by the DEEO. Pursuant thereto, the petitioner joined duty at Senthamilselvi Aided Primary School on 05.09.2005 as a Secondary Grade Teacher.

2.2. Subsequently, a vacancy arose on 26.02.2005 due to the demise of the then Headmaster, Mr. Rathna Sundar. The petitioner, being the seniormost Secondary Grade Teacher with more than eight years of teaching experience, was promoted as Headmaster on 28.09.2005. The said promotion was duly approved by the proceedings dated 27.10.2005 of the DEEO. Since the date of his promotion, the petitioner has been continuously and diligently discharging his duties as Headmaster without any interruption. The petitioner having acquired higher qualification of M.A. in 2010 and was sanctioned incentive increment w.e.f. 29.05.2010, vide order passed by the Assistant Elementary Educational Officer, dated 16.11.2010, as per G.O.Ms.No.42, dated 10.01.1969. Further, on completion of 10 years of service in



the post of Headmaster, he was sanctioned selection grade increment w.e.f., 28.09.2015, vide Na.Ka.No.1340/A1/15, dated 12.10.2015, passed by the Block Educational Officer Thirupanandal.

2.3. Owing to the demise of the Secretary of the School Committee, in 2008, the school was brought under direct payment and during the said period the following officers have held the offices of Assistant Elementary Education Officer (AEEO) / Block Education Officer BEO, namely, (1) Mr.K. Srinivasan M.A. B.Ed. (ii) Mr.P. Natrajan M.A., B.Ed. (iii) Mr.D. Ashokan M.A., B.Ed. (iv) Mr.G. Rajendiran M.A., B.Ed. M.Phil. (v) Mr.Saravana Bhavanandam M.A. B.Ed. M.Phil. (vi) Mr.Sivagurunathan M.A. B.Ed. (vii) Mr.Elangovan M.A., B.Ed. (viii) Mr.Madhiyalagan M.A. B.Sc. B.Ed. M.Phil. (ix) Mrs. Sai Sathyabama M.A. B.Ed. (x) Mrs. Nirmala M.A., B.Ed. and (xi) Mrs. S.Pusphalatha M.A., B.Ed. Since the school is under direct payment, the above named AEEO / BEO, directed the petitioner to maintain the service records of the teachers and to record the endorsements made in the service register of the teachers regarding leave, increment, provident fund loan was duly approved by the AEEO / BEO, respectively. Till date the school is under direct payment. While so, the petitioner was issued a memo dated 21.11.2025, signed on 28.11.2025, by the BEO calling upon him to submit his explanation within three days as to why disciplinary action should not be initiated



against him on the allegation that he had exceeded his authority by making endorsements in the service records of the teachers. On the very same day, the petitioner was also served with another show cause notice dated 21.11.2025, signed on 28.11.2025, directing him to submit his explanation within fifteen days. In the said notice, it was stated that since his appointment had been approved only with effect from 02.06.2003, upon completion of the one-month Child Psychology Training, he was not entitled to the Selection Grade pay with effect from 28.09.2015. It was also stated that he had unauthorizedly made an endorsement in his own Service Register sanctioning incentive increment for acquiring the higher qualification of M.A., despite being ineligible for the same. But as per G.O.Ms.No. 285 Education Department, dated 02.03.1991 and G.O.Ms.No.116, dated, 14.07.2006, the service rendered by the teachers in the Matriculation school has to be taken into account for the purpose of appointment in the aided school as Headmaster. The petitioner's appointment as Secondary Grade Teacher, from 26.12.1997, in the sanctioned post was duly approved and he had received time scale of pay, from 26.12.1997 and has 8 years experience in the post of Secondary Grade Teacher. The school committee has duly promoted him as Headmaster and the same was approved by the District Elementary Educational Officer vide proceeding dated 27.10.2005 as per Tamil Nadu Private School Regulation Act. Furthermore, the petitioner was sanctioned incentive increment for passing higher qualification of M.A., w.e.f. 29.05.2010, by the AEEO, vide order dated 16.11.2010, as per government order in



G.O.Ms.No.42, dated 10.01.1969. The Petitioner has submitted detailed explanation denying the allegations to the 4th respondent dated 15.12.2025.

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2.4. In the meanwhile, the petitioner was promoted as Headmaster on 28.09.2005 and his promotion was duly approved by the proceeding of the 3rd respondent dated 27.10.2005. On completion of the 10 years of satisfactory service on 27.09.2015, he was sanctioned selection grade increment vide proceeding of the 4th respondent dated 13.10.2015. The petitioner has completed 20 years of satisfactory service on 27.09.2025 and entitled Special Grade increment w.e.f. 28.09.2025. Hence, he had made representation dated 22.12.2025 to the 4th respondent, requesting for sanctioning of Special Grade Increment w.e.f. 28.09.2025. Since there was no response for the same, he had sent a representation dated 20.01.2026, by registered post to the 4th respondent. The 4th respondent has not considered the same so far. Therefore, he had submitted a petition dated 18.04.2026 under RTI Act, requesting the 4th respondent to furnish the details of the action taken on his representation dated 22.1.2025 and 20.01.2026. The 4th respondent by reply under RTI act, dated 08.06.2026, requested clarification from the 1st respondent with regard to sanction of Special Grade increment to him, on completion of 20 years of service. The reply would indicate that the service from 26.12.1997 to 01.06.2003 would not be taken for granting promotion. The stand of the respondents is against



the government order, hence the present writ petition.

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3. The Learned Counsel appearing for the State had submitted written instructions wherein it is stated that the issue has already settled by various judgments. The petitioner had completed the Child Psychology Training for a period of one month from 02.05.2003 to 31.05.2003 and after completion of training, his appointment as Secondary Grade Teacher was approved with effect from 02.06.2003, hence the period prior to this approval cannot be taken for approving the promotion to the post of Headmaster.

4. Heard Mr.S.N.Ravichandran, Learned Counsel appearing for the petitioner, M/s.K.Porkodi, the Learned Special Government Pleader appearing for respondents 1 to 3 and perused the records.

5. After Hearing the rival submissions, this Court has given its anxious consideration.



6. It is seen that the petitioner was appointed on 26.12.1997 in the Secondary Grade Teacher post with B.Ed. qualification. The said appointment is considered as illegal / irregular appointment since the teacher was not having requisite qualification to the post of Secondary Grade Teacher as held in Uswathun Hasana Oriental (Arabic) Girls Higher Secondary School Pallapatti Vs. the State of Tamil Nadu and others reported in 2002 WLR 173. The said judgment was confirmed by another Division Bench judgment in the State of Tamil Nadu and others Vs. Pallivasal School reported in 2004-2-LW-591 and also confirmed by several Division Bench Judgments. Based on the judgment in Uswathun's case the government issued G.O.Ms.No.155 School Education (D2) Department dated 03.10.2002, whereby a concession was granted to complete the child psychology course for a period of one month and approval would be granted from the date of completion of child psychology course. The said G.O.Ms.No.155 was also confirmed in Pallivasal case and other Division Bench judgments. The only exemption is that the said service can be counted for payment of pension alone. The other benefits like salary, annual increment, selection grade / special grade, higher education incentive increment, promotion etc. cannot be claimed for the said period. When the benefit of promotion is declined in G.O.Ms.No.155, therefore, for promotion to the post of Headmaster the petitioner cannot claim to take the services rendered prior to completion of child psychology course.



7. But in the present case the petitioner is seeking to consider the prior service as “teaching experience”. As per rule, any person is entitled to be appointed in the post of Headmaster of Elementary School if the person is possessing five years teaching experience in the Secondary Grade Post. Further as per rule the management is entitled to post the in-service candidate. If not available the management shall recruit any candidate from the open market by calling for applications from open market. While scrutinizing the candidates, if the candidate is having teaching experience in Matriculation School or any other school, then the management is entitled to consider the said candidate. Hence the post of “Elementary School Headmaster” can be filled by promotion or by appointed from open market. In the present case, even though the petitioner is seeking promotion to the headmaster post, but the same cannot be considered as promotion and it ought to be considered as “appointment” to the post of headmaster. If it is considered as appointment to the post of Headmaster, then the petitioner is entitled take the service prior to 2003 as “teaching experience”. In such circumstances, the petitioner is entitled to be considered.

8. Even as per the respondents the petitioner is having teaching experience in the post of Secondar Grade Teacher from 02.06.2003 until 27.09.2005 i.e. nearly 2 years 4 months. The petitioner is seeking to add the teaching experience from



26.12.1997 (the date of earlier appointment) till the 01.06.2003 (the date of appointment after completing the child psychology course) so as the five years teaching experience can be taken. Even the government had considered the said issue in G.O.Ms.No.116 School Education (B) Department dated 14.07.2006 and has held that when the teaching experience in Matriculation School is accepted, then the teaching experience in “unaided recognized private school - unsanctioned post” shall be accepted. The said G.O. further imposes certain conditions like the genuineness ought to be ascertained etc. The respondent has not denied that the petitioner was actually working in the school. Hence the petitioner has fulfilled all the conditions and there is no impediment to approve the said period. Consequently, the petitioner is entitled to selection grade pay in the post of headmaster on 28.09.2015 and special grade pay on 28.09.2025.

9. For the reasons stated supra this Court is of the considered opinion that the petitioner is entitled to selection grade pay in the post of headmaster on 28.09.2015 and special grade pay on 28.09.2025. Therefore, the respondents are directed to grant the same within the period of eight weeks from the date of receipt of the copy of the order.



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10. With the above directions, this Writ Petition is allowed. There shall be no order as to costs.

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06.08.2026

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To

1.The Director of Elementary Education,
College Road, Chennai-6.

2.The District Educational Officer(Elementary),
Thanjavur District,
Thanjavur.

3.The Block Educational Officer,
Thirupanandal Block,Thanjavur District.



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S.SRIMATHY J

TMG

**ORDER MADE IN
WP(MD)No.20355 of 2026**

DATE: 06.08.2026