

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-07-2026

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THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WA(MD) No. 4 of 2025

V.Vellaichamy

..Petitioner(s)

Vs

1. The State of Tamilnadu
Represented 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
Madurai District at Madurai.
4. The District Educational Officer
Thallakulam, Madurai,
Madurai District.
5. The Secretary
National Co-operative Sugar Mills,
Higher Secondary School,
15-B, Mettupatti and Post,
Madurai District -625 502.

..Respondent(s)

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 07-01-2022 in Writ petition (MD).No.2298 of 2017 on the file of this Court.



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For Petitioner(s):

Mr.S.Xavier Rajini

For Respondent(s):

Mr.S.I.Muthiah (R1 to R4)

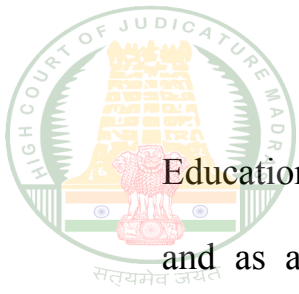
Counsel for State

JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

The writ petitioner in W.P.(MD)No.2298 of 2017 is the appellant herein. He had filed the said writ petition in the nature of a Certiorarified Mandamus seeking records relating to the proceedings issued by the 4th respondent, District Educational Officer, Thallakulam, Madurai, dated 13.11.2025 and to quash the same and to further direct the said fourth respondent to approve his appointment as Office Assistant in the 5th respondent School/ National Cooperative Sugar Mills Higher Secondary School at Madurai with effect from 01.06.1991 till 02.06.1994 and disburse grant-in-aid towards its salary and also grant all other monetary benefits.

2.The petitioner also seeks to reckon half of the service in the 5th respondent from 01.06.1985 till 31.05.1991 as qualifying service for the purpose of pension. The short facts are that the fifth respondent School was established as Middle School in the year 1983; the Government had sanctioned 3 posts, namely, Tamil Pandit, Secondary Grade Teacher and Physical



Education Teacher; thereafter, it was upgraded as High School in the year 1983 and as a Higher Secondary School in the year 1996; grant-in-aid was not granted to the High School sections; however, the management paid the salary to the Staff out of their own fund; thereafter, the petitioner had been appointed as Office Assistant on 31.05.1983 on consolidated pay; the minimum qualification required to be appointed as Office Assistant was 8th standard; the petitioner had, however, joined the Pre-Foundation Course in June, 1985 and had earlier joined the Introduction Course in April, 1985; both attached to the Madurai Kamraj University; the only issue was whether the particular qualification of joining the Pre-Foundation Course in June, 1985 and the Introduction Course in April, 1985 was equivalent to eighth standard, which was a minimum qualification required be considered for appointment as Office Assistant.

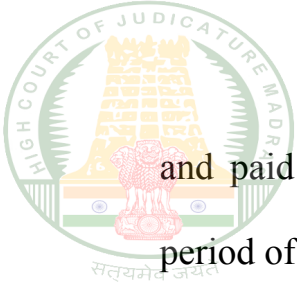
3.The learned Single Judge was of the opinion that they were equivalent. The post of Office Assistant was however, approved only on 03.06.1994. It was so approved on 03.06.1994, since the petitioner herein had further qualified himself in November, 1993 through an Open University Foundation Course, and had passed the same. That was taken to be the fundamental qualification of 8th standard by the respondents. But however, there is no dispute that he had earlier joined the Pre-Foundation Course and the Introduction Course of Madurai Kamaraj University in the year 1985, which the learned Single Judge



had come to a definite conclusion was equivalent to 8th standard. That part of the reasoning of the learned Single Judge is not challenged by filing a writ appeal by the respondents. Therefore, that finding had become final. It is binding on the respondents. Once it is held that the petitioner had a necessary equivalent qualification to 8th standard at the time of his initial joining in the year 1991, then there is no reason why he should be denied payment of salary from that time.

4. The other relief sought to consider half of his service from 1983, is not pressed by the learned Counsel for the appellant. The only issue is whether the reasoning of the learned Single Judge that the appellant is not entitled for salary from 01.06.1991 till 03.06.1994 will have to be interfered by this court or not.

5. We have carefully perused the records and we hold that the learned Single judge unfortunately had been misdirected to hold that the appellant was not entitled for salary. The writ petitioner/appellant had the requisite educational qualification. That fact had been asserted by the learned Single Judge. Therefore, it only follows that the appellant is also entitled for salary on and from the date, when he had been recognised to have been appointed on 01.06.1991. The order of the learned Single Judge is set aside to that particular extent and we direct that the appellant is entitled for salary from 01.06.1991 to 03.06.1994 and his pensionary benefits will have to be accordingly reworked



and paid to him. Necessary orders in that regard should be passed within a period of three months from the date of receipt of a copy of this order.

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6.This writ petition is allowed. There shall be no order as to costs.

(C.V.K.,J.) (R.S.V.,J.)
23-07-2026

Index: Yes
Speaking
Neutral Citation: Yes

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To

1. The 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
Madurai District at Madurai.
4. The District Educational Officer
Thallakulam, Madurai,
Madurai District.



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

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