



WP(MD)Nos.7051/2020, etc. batch

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 01.09.2022

DELIVERED ON : 02.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)Nos.7051/2020, 7072/2020, 13846/2020, 10768/2021, 4384/2022,
4302/2019, 5024/2019, 5025/2019, 7009/2019, 7010/2019, 1131/2016,
10653/2019, 10956/2019, 4914/2020, 4917/2020, 4919/2020, 4926/2020,
5179/2020, 9456/2020, 13040/2020, 13043/2020, 18921/2020, 18965/2020,
19183/2020, 19583/2020, 2017/2021, 7447/2021, 7583/2021, 22965/2021,
11227/2022 and 16232/2022,
and connected W.M.Ps.

W.P.(MD)No.7051 of 2020

G.Indurani

... Petitioner

/vs./

- 1.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Thoothukudi District,
Thoothukudi.
- 2.The District Educational Officer,
O/o the District Educational Officer,
Kovilpatti,
Thoothukudi District.



WP(MD)Nos.7051/2020, etc. batch

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3.The Correspondent,
Raja Higher Secondary School,
Ettaiyapuram,
Kovilpatti Education Department,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to approve the appointment of petitioner as Secondary Grade Teacher with effect from 12.10.2019 in the 3rd respondent school with all attendant and monetary benefits in the light of the order passed by the 1st respondent vide his proceedings ந.க.எண். 2899/அ1/2019 dated 05.09.2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohamed Suhail for
M/s.Ajmal Associates

For Respondents : Mr.R.Baskaran,
Addl. Advocate General – VI
Assisted by Mr.A.Kannan
Addl. Govt. Pleader for R1 & R2

No Appearance for R3



WP(MD)Nos.7051/2020, etc. batch

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COMMON ORDER

In all these writ petitions, the private aided minority and non-minority schools have appointed various teaching staffs in their schools. The proposal sent by the school management to the concerned Educational Authority seeking for approval of the appointment of these teachers have been rejected, on one, or more of the following grounds:-

- a) no prior permission for appointment of the teacher was obtained from the Educational Authorities;
- b) the appointee has not qualified in the Teachers Eligibility Test (TET);
- c) in view of the surplus teachers in the school, approval cannot be granted, unless such teachers are deployed to other schools;
- d) existence of surplus teacher (s) in the corporate management of the school;
- e) existence of surplus teachers in the District, where the school is situated;



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

- f) the appointee is sought to be accommodated in a sanctioned vacancy by converting the sanctioned post; and
- g) the appointee is sought to be accommodated in a post that has been upgraded from the sanctioned post.

2. The learned counsels appearing for the petitioners submitted that all the aforesaid grounds on which the proposals from the school for approval of the appointments were rejected or has been kept pending, have already been considered by this Court in various decisions, whereby, this Court had rejected all these objections and consequently directed the Educational Authorities to grant approval of the appointments of these teachers.

3. The learned Additional Advocate General submitted that among the grounds on which the school proposals were rejected, the issue as to whether approvals can be granted to a teacher in a school, where there are surplus teachers, in addition to the sanctioned number of teachers, is now pending before the Hon'ble Supreme Court in ***S.L.P.C.Nos.15702 of 2021 and 12693 of 2022.***



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

4. I do not intend to delve into the sanctity of the objections raised by the Educational Authorities while rejecting the proposal of the schools, since all these objections have already been considered by this Court in various decisions. Thus, it would suffice, if these decisions, overcoming the grounds of objections raised by the Educational Authorities, are reproduced hereunder:

4.1. a) Prior Permission:

In a case when the Government refused to grant approval of appointment to the proposal made by the minority institution, a Division Bench of this Court in the case of *the Government of Tamil Nadu, Department of School Education and others Vs. J.Remila*, passed in *W.A.(MD)No.1350 of 2017, dated 14.11.2017*, had placed reliance on Article 30 of the Constitution of India and held that a recognized minority educational institution has a right to establish and administer their institution and any claim for prior permission from the Government Authorities, for appointment of its teachers, would amount to abridgement / dilution of their constitutional rights. While holding so, the Hon'ble Division Bench had consequently held that no prior permission was



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

required for a minority institution to appoint its own teaching and non-teaching staffs. The relevant portion of the order reads as follows:

“27.....In fact, Rule 6 (2) of the Tamil Nadu Minority Schools (Recognition and Payment of Grant) Rules, 1977, does not stipulate that appointments can be made only after getting prior approval from the concerned authorities. It only says that for the eligibility of grant to a Minority Institution, all appointments made by the Minority institution will have to be approved by the concerned authorities. In the case on hand, the appointment of the First Respondent was made by the Second Respondent Institution and after the appointment, the Second Respondent Institution sought for approval from the concerned authorities, which is in agreement with Rule 6 (2). Further, it is not the case of the Appellants that they have stopped giving grant to the Second Respondent Institution due to the breach of Rule 6 (2) of the Tamil Nadu Minority Schools (Recognition and Payment of Grant) Rules, 1977. Therefore, the submission of the Learned Special Government Pleader that the Second Respondent Institution has not followed Rule 6 (2) of the Tamil Nadu Minority Schools (Recognition and Payment of Grant) Rules, 1977, cannot be accepted by this Court.”

The aforesaid decision of the Hon'ble Division Bench came to be followed in various other decisions including the case of ***Immaculate Arputha Mary Usha***



WP(MD)Nos.7051/2020, etc. batch

Vs. The Government of Tamil Nadu, represented by the Secretary, Education Department and others passed in ***W.P.No.16977 of 2018, dated 08.02.2022.***

4.1.1. Thus, a prior permission of the Governmental Authorities for appointment of a teacher in a minority educational institutions is not required and therefore, the reasons assigned in this regard for rejection of the proposals for appointment of teachers in these writ petitions, wherever applicable, cannot be sustained.

4.2. b) Not qualified in Teacher Eligibility Test (TET):

It is a well settled proposition that a qualification in the Teachers Eligibility Test (TET), is not a pre-requirement for appointment of a teacher in a private minority educational institution. Following this proposition, this Court in the case of ***T.Sahayam Vs. The District Educational Officer, Tiruchendur and others***, passed in ***W.P.(MD)No.24902 of 2019, dated 05.07.2022***, had placed reliance on other decisions of this Court, upholding this proposition, in the following manner:

“7. Insofar as the reason assigned by the respondent



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

that the proposal cannot be accepted for want of TET qualification is concerned, this reasoning has also been dealt with by this Court in several writ petitions, wherein it was held that the pre-requirement of TET qualification for a teacher in a Minority Institution, is not mandatory.

8. In one such decision of this Court in the case of J.D.Christopher Asir Vs. The Director of School Education, DPI Campus, College Road, Chennai and others in W.P. (MD).No.13935 of 2018, dated 29.06.2018, this preposition was held in the following manner:

“9.The issue of requirement of TET qualification for any teacher employed or appointed in a school run by the minority management can no longer be res integra as in a number of cases, the said requirement directed not to be insisted upon. In this regard, as has been pointed out by the learned counsel appearing for the petitioner, the issue has been decided in a judgment of Division Bench of the Principal Seat of this Court in the matter of Secretary to Government, Government of Tamil Nadu, Education Department and others Vs. S.Jeyalakshmi and another reported in (2016) 7 MLJ.

10.In the said judgment, the Hon'ble Division Bench has made it clear that the requirement of TET qualification cannot be insisted upon from the teacher working in minority institutions and in this regard a view expressed by the Division Bench and the law held thereon are extracted hereunder:-

“58.In our opinion, non qualifying in TET by the Teachers already in service should not defeat the object of the Government to provide quality and standard education and therefore, the Government may, in the alternative, conduct a refresher course and also some interactive sessions during annual vacation, in order to ensure and enhance the quality of education.

59.Insofar as minority institutions are concerned, the contention of the learned senior counsel appearing for the minority Schools is that when Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 received the assent of the President of India and it is still in force, it cannot be supplanted by an Executive Order, namely, by G.O.Ms.No.181 dated 15.11.2011. Further, the Apex Court has clearly held in Pramati Educational and Cultural



WEB COPY

WP(MD)Nos.7051/2020, etc. batch

Trust V. Union of India (Supra) that RTE Act, 2009 is not applicable to the minority institutions. Therefore, we have no hesitation to hold that the right conferred under Article 30(1) of the Constitution cannot be abrogated. Consequently, G.O.Ms.No.181 dated 15.11.2011, which was issued pursuant to the directions of NCTE, cannot be made applicable to the minority institutions.

60.In the light of the above, we are of the view that the Government cannot insist upon the minority institution, both aided or unaided, to abide by any Regulation framed under the provisions of the RTE Act. Therefore, we hold that G.O.Ms.No. 181, School Education (C2) Department dated 15.11.2011 issued by the Government of Tamil Nadu, is not applicable to the minority institutions. Similarly, G.O.Ms.No.76 dated 18.03.2015 issued by the Government of Puducherry, is also not applicable to the minority institutions.”

11.Following the said judgment of the Division Bench, a number of orders have been passed in similar situations, where the teachers appointed in minority institutions / schools sent for approval to the authorities, where the said approval had been rejected on the ground that those teachers did not have the TET qualification.”

Thus, the respondents may not be legally justified in insisting that the petitioner, who is a teacher in Minority Institution, should have passed the TET.”

4.2.1. In the light of the aforesaid decisions, rejection of the proposals for appointment of the teachers in a minority educational institutions in these writ petitions, wherever applicable, on the ground that TET is a pre-requirement for appointment of a teacher cannot be sustained.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

4.3. c to e) Redeployment of surplus teacher (s) in a minority school /

Corporate Management of the school / District cannot be a pre-condition for grant of approval:

In a batch of writ petitions, in the case of *the Secretary to Government and others Vs. Iruthaya Amali and another* reported in *2021 SCC OnLine Mad 1285*, an Hon'ble Division Bench of this Court had held that for the purpose of fixing the staff strength of a school, the concerned school shall be the unit and not the educational agency / joint management / corporate management. It was further held therein that on such staff fixation, the excess staff requires to be redeployed to the needy schools. It is pertinent to point out that when the batch of writ petitions in *Iruthaya Amali's* case was pending, the Hon'ble Division Bench had passed interim orders on 09.04.2019 in the following manner:

“.....ii) There shall not be any fresh appointment from today in Private Aided Schools, till surplus teachers in other schools coming under the same Management are exhausted;

(iii) The Government shall not approve any appointment made by the Private Aided School, till the surplus teachers in the schools coming under the same management are exhausted;.....



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

4.3.1. In line with the aforesaid interim orders, the Government had issued various instructions, including their letter dated 04.12.2019, prohibiting the private aided schools from making any fresh appointments. In consequence to this Government Letter dated 04.12.2019, the Educational Authorities had been rejecting the proposals of the minority aided schools, seeking for approval of appointments made by them.

4.3.2. Thus, the reasons assigned in these writ petitions, wherever applicable, that approval cannot be till redeployment of the surplus teachers in the school, cannot be sustained.

4.3.3. However, the Hon'ble Division Bench had thereafter passed final orders in *Iruthaya Amali's case*, (2021 SCC OnLine Mad 1285), whereby, the interim arrangement made therein was relinquished and the bar for either new appointments or approval of appointments were lifted in the final orders. Thus, the Government Orders passed in line with the interim orders in *Iruthaya Amali's case*, imposing the ban in fresh recruitments and approval of appointments already made in private aided institution was whittled down. In this background,



WP(MD)Nos.7051/2020, etc. batch

a useful reference could be made to one of the final directions issued in ***Iruthaya Amali's case***, with regard to the guidelines to be adopted for fixation of the staff strength. Paragraph 148(b) of such a direction reads as follows:

“b) for the purpose of fixing the staff strength of a school, school shall be the unit and not the Educational agency / joint management / corporate management.”

Thus, for determining whether there was in existence any surplus teachers in a school, the school alone should be taken as a separate unit and not the schools run by the Corporate Management or the schools in the District as such. Thus, the reasons assigned in these writ petitions, wherever applicable, that approval cannot be granted till redeployment of the surplus teachers in the corporate management, cannot be sustained.

4.3.4. While construing the Government Letter dated 04.12.2019, this Court in the case of ***L.Princeton Fernando Vs. The State of Tamil Nadu, Department of Higher Education and others*** in ***W.P.(MD)No.12940 of 2021, dated 30.06.2022***, held that the reasoning adopted by the Government in its letter



WP(MD)Nos.7051/2020, etc. batch

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dated 04.12.2019, cannot be sustained, in the following manner:

“2. The letter of the Government, dated 04.12.2019, referred to in the impugned order was the outcome of the decision of this Court passed in a batch of Writ Petitions in the case of Secretary to Government and others Vs. Iruthaya Amali and another reported in 2021 SCC OnLine Mad 1285. In the said decision, what was ordered is that the excess teaching staffs are required to be identified in all category schools and till such time, the "Government" shall not appoint Teachers under any category. The order does not speak about appointments that have already been made and which are awaiting approval of the authorities. This decision has been ratified in several judgments passed by this Court in identical circumstances. As such, placing reliance on the Government Letter, dated 04.12.2019 and rejecting the petitioner's claim on the ground that until surplus teachers are filled, no approval can be granted, is misplaced and liable to be set aside.”

Thus, the reasons assigned in these writ petitions, wherever applicable, that approval cannot be granted till redeployment of the surplus teachers in the district, cannot be sustained.

4.4. f) Minority school has a right to convert a sanctioned post:

In a batch of cases in ***The Director of School Education and others Vs.***



WP(MD)Nos.7051/2020, etc. batch

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S. Vanith and others passed in **W.A.(MD)Nos.828 of 2014, etc., dated 22.04.2016,**

an Hon'ble Division Bench of this Court had taken a view that minority institution has a right to convert a sanctioned post, which cannot be questioned by the authority while considering the proposal for approval of such appointment.

Relevant portion of the order reads as follows:

“12.Contention by the appellants that the returned proposals were not challenged by the management and hence it has to be treated as accepted and hence the teachers have no right to question the same cannot be accepted. It has to be seen that ultimately, it is the teachers who are affected. Therefore, even if the management has not taken up the cause, the aggrieved teacher has every reason to question the returned proposals. The educational authorities ought to have considered that the very object of the the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and the Rules made thereunder are to protect the interests of the teachers and students. Therefore, right of the teacher cannot be said to be extinguished. Power of the educational authorities to issue directions to fill-up the posts on conversion cannot be questioned. At the same time, the schools should be given latitude to fill-up the required posts. If Maths and other subject teachers are already working in a school, the management should have the right to fill up the posts with other subjects, if there is a need for filling up the posts with the required subjects.”



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

4.4.1. Likewise, in the case of *Correspondent, Amali Girls Higher Secondary School, Tirunelveli District Vs. The State of Tamil Nadu, Department of School Education and others* passed in *W.P.(MD)No.14584 of 2020, dated 29.06.2022*, a similar view was taken in the following manner:

*“3. Insofar as the conversion of the sanctioned post is concerned, this Court, in the case of **The Corporate Manager, CSI Corporate Schools Vs. The State of Tamil Nadu, Rep.by its Secretary, Department of School Education** reported in 2006 (5) CTC 504, has held that there was no impediment for the Management to fill up the post by appointing a Teacher in the relevant subjects, when no such qualified Teachers are available. The relevant portion of the order reads as follows:*

“11. As rightly argued by the learned counsel for the petitioner, hitherto the concerned managements sent proposal for the conversion of posts and the second respondent used to grant permission to convert the post from one subject to the other needy subject. Learned counsel also submitted that by proceeding Mu.Mu.No.137700/W6/88 dated 8.2.1989, the second respondent at the request of the Management, granted permission to the St.Francis Higher Secondary School, Vavarai, Kanyakumari District, to convert the post of the PG Assistant (Geography) into PG Assistant (Commerce). Similarly, by proceeding Thi.Mu.No. 89903/W6/98 dated 16.3.1999, at the request made by the management of the St.Mary Higher Secondary School, Colachal, the second respondent granted permission to convert the post of PG Assistant (Zoology) into PG Assistant (Commerce). From the above proceedings it is clear that the need of the particular subject teacher in a School will be ascertained by the concerned management and if any



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conversion of post is required, the concerned management will submit a proposal based on the workload and the second respondent after verifying the same, used to grant permission. But, by the impugned circular, the second respondent has directed the management to fill up the vacant posts by subject roster without ascertaining the real need of the school with regard to the subject teacher. Hence the impugned circular is unreasonable and based on no material. It may be true, for a new school, when posts are sanctioned, the second respondent is justified in giving a subject roster to fill up the posts, but cannot insist the Schools, where teachers are already working in different subjects.

12. The Director of School Education on his own has issued circular to fill up the post of Maths, English and Science in the vacancies arising from 1.6.2003. It is also stated in the said circular that for the subject of Scientific Tamil only Science teacher is competent to handle the classes, which is a new subject introduced. It is not in dispute that all the post in a school having standards 6 to 8 are earmarked as Maths, English and Science respectively. It is stated in the impugned circular that the retirement/death/resignation vacancies arising from 1.6.2003 shall be filled up by following the subject roster. The said circular do not consider the availability of qualified B.A. and B.Ed passed Secondary grade Teacher working in the school for handling English, Maths and Science Subjects. If really there are qualified teachers available to handle English or Maths or Science subjects in the school, it is definitely open to the management to fill up the post by appointing a teacher in the relevant subjects, where there are no qualified or sufficient teachers available. Hence it is clear that the second respondent issued the circular without application of mind and without considering the relevant facts such as availability of teachers in the subjects of English, Maths and Science in a particular school.

13. The impugned order is also in violation of the Tamil Nadu Recognised Private Schools (Regulation) Act and Rules, wherein it is not stipulated anywhere that the



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

particular school should follow the subject roaster. Even G.O.Ms.NO.125 dated 12.11.2003, which is governing the appointment of Middle Grade Graduate Teachers in standards 6 to 8, nowhere states that subject-wise roaster should be followed. In the absence of anything contained in the said Government Order, the second respondent has no jurisdiction to issue the impugned circular and if at all subject roaster is to be followed by the management, it is the government who is competent to issue the subject roaster in accordance with Section 19 of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973.”

4. Thus, when there was no illegality or any other impediment for the petitioner to seek for conversion and approval of the appointment of the Teacher to the post of B.T.Assistant (English) in the sanctioned vacancy of B.T.Assistant (Social Science), the respondents were not justified in rejecting the proposal.”

In the light of the aforesaid decisions, a minority school would be entitled to appoint a teacher by converting a sanctioned post and thus, the reasons for rejection in this regard in the present writ petitions, wherever applicable, are liable to be set aside.

4.5. g) Minority school has a right to upgrade the sanctioned post:

In the case of *the Chief Educational Officer, Tirunelveli and another Vs. S.Josephin Vijaya and another* passed in *W.A.(MD)No.1497 of 2017, dated*



WP(MD)Nos.7051/2020, etc. batch

14.12.2017, the minority school had appointed a teacher as a B.T.Assistant in the sanctioned post of Secondary Grade Teacher. The Division Bench held that, when the Secondary Grade Teacher in a sanctioned post had retired on reaching the age of superannuation, the post automatically gets upgraded into that of a B.T.Assistant. Agreeing with the findings of the learned Single Judge, the Hon'ble Division Bench in ***S.Josephin Vijaya's case*** (supra) had held that, such conversion by upgradation, was permissible. Following the decision in ***S.Josephin Vijaya's case*** (supra), I had passed orders in the case of ***A.Franklin Raj Vs. The Chief Educational Officer, Tirunelveli and others*** in ***W.P.(MD)No. 10963 of 2020, dated 29.06.2022***, by holding as follows:

“4.Insofar as reference to GO.Ms.No.144, School Education Department, dated 04.07.2008 is concerned, the Division Bench of this Court in the case of the Chief Educational Officer, Tirunelveli and another vs. S.Josephin Vijaya and another passed in W.A.(MD)No.1497 of 2017 dated 14.12.2017 has held that when a secondary grade teacher retires on superannuation, the post of secondary grade teacher “automatically” stands upgraded into that of a Graduate Teacher as per G.O.Ms.No.79, Secondary Education (U-1) Department, dated 14.06.2002.

5.In view of such automatic upgradation, the Authorities cannot insist for prior permission of their approval for upgradation of the



WP(MD)Nos.7051/2020, etc. batch

WEB COPY *sanctioned post. As a matter of fact, such a claim for permission would only be a futile exercise. Thus, both the reasons cited by the first respondent for rejection of the proposal, cannot be sustained."*

Thus, a minority school would have a right to upgrade the sanctioned post and hence, the reasons assigned in these writ petitions, wherever applicable, cannot be sustained.

5. Insofar as the writ petitions relating to appointment of teachers in “non-minority educational institutions” are concerned, it is seen that in all these cases, the appointment of the teachers were made after prior permission of the Educational Authorities, which is a mandatory precondition. However, the reasons adopted by the respondents for rejecting the proposal for approval of the appointments of these non-minority institutions, are the same as that of the reasons adduced by them for the minority institutions, which reasonings have been discussed in the earlier portion of this order. In view of the prior permission obtained by them and the reasons adopted by the respondents being unsustainable, in view of the various decisions of this Court discussed above, the orders of rejection made in the cases of these non-minority schools also, cannot be sustained.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

6. The learned Additional Advocate General had submitted that the issue as to whether the redeployment of the surplus teachers in a private educational institutions would be an impediment for grant of approval of appointment of the teachers or not, is pending before the Hon'ble Supreme Court in S.L.P.(C).Nos. 15702 of 2021 and 12693 of 2022.

7. Now that, I have held that all the reasonings adopted by the Educational Authorities for rejecting the proposals have already been held to be illegal in the aforesaid decisions, the authorities can be directed to approve the proposals, by subjecting such approvals to the final decision to be taken by the Hon'ble Supreme Court in the aforesaid decisions. As such, the interest of the Government would also be protected and thereby the ends of justice could be simultaneously secured.

8. In view of the above observations, this Court passes the following order:

W.P.(MD)No.7051 of 2020:

Accordingly, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

appointment of the petitioner, to the post of Secondary Grade Teacher, in the third respondent school with effect from 12.10.2019, together with all service and monetary benefits, in the light of the order passed by the 1st respondent vide his proceedings in ந.க.எண்.2899/அ1/2019 dated 05.09.2019, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.7072 of 2020:

Accordingly, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner, to the post of Primary School Headmaster, in the third respondent school with effect from 11.10.2019, together with all service and monetary benefits, in the light of the order passed by the 1st respondent vide his proceedings in ந.க.எண்.2900/அ1/2019 dated 05.09.2019, within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

W.P.(MD)No.13846 of 2020:

Accordingly, the impugned order dated 27.08.2020, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Tamil), in the third respondent school with effect from 14.02.2019, together with all service and monetary benefits, in the light of the order passed by the 1st respondent vide his proceedings in மு.மு.எண். 53/௮3/2019 dated 30.01.2019 within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.10768 of 2021:

Accordingly, the impugned order dated 04.05.2021, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Maths), in the third



WP(MD)Nos.7051/2020, etc. batch

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W.P.(MD)No.4384 of 2022:

Accordingly, the impugned order dated 10.02.2022, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Science), in the fifth respondent school with effect from 05.03.2019, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.4302 of 2019:

Accordingly, the impugned order dated 20.07.2018, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Assistant, in the third respondent school with effect from 15.11.2017, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.5024 of 2019:

Accordingly, the impugned order dated 26.10.2018, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Assistant, in the fifth respondent school with effect from 05.07.2017, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.5025 of 2019:

Accordingly, the impugned order dated 24.09.2018, on



WP(MD)Nos.7051/2020, etc. batch

WEB COPY the file of the second respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Assistant, in the third respondent school with effect from 25.07.2018, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.7009 of 2019:

Accordingly, the impugned order dated 16.08.2017, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the third respondent school with effect from 01.06.2000, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY **W.P.(MD)No.7010 of 2019:**

Accordingly, the impugned order dated 16.08.2017, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the third respondent school with effect from 01.02.2001, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.1131 of 2016:

Accordingly, the impugned order dated 24.08.2015, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the third respondent school with effect from 01.06.2000, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY **W.P.(MD)No.10653 of 2019:**

Accordingly, the impugned order dated 25.07.2018, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of Y.Gilda Star, to the post of P.G.Assistant (Chemistry) in the petitioner school with effect from 01.03.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.10956 of 2019:

Accordingly, the impugned order dated 24.05.2018, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Physical Education Teacher, in



WP(MD)Nos.7051/2020, etc. batch

WEB COPY the fifth respondent school with effect from 08.06.2017, together with all service and monetary benefits, within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.4914 of 2020:

Accordingly, the impugned order dated 02.11.2019 on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Maths), in the fifth respondent school with effect from 01.08.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.4917 of 2020:

Accordingly, the impugned order dated 21.10.2019 on the file of the fourth respondent is quashed. Consequently, there



WP(MD)Nos.7051/2020, etc. batch

WEB COPY shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Tamil), in the fifth respondent school with effect from 07.10.2017, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.4919 of 2020:

Accordingly, the impugned order dated 21.10.2019, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Maths), in the fifth respondent school with effect from 02.07.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY **W.P.(MD)No.4926 of 2020:**

Accordingly, the impugned order dated 05.11.2019, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the fifth respondent school with effect from 02.07.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.5179 of 2020:

Accordingly, the impugned order dated 24.02.2020, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Physical Educational Teacher, in the fifth respondent school with effect from 03.06.2019, together with all service and monetary benefits within a period



WP(MD)Nos.7051/2020, etc. batch

WEB COPY of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.9456 of 2020:

Accordingly, the impugned order dated 13.01.2020, on the file of the second respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Tamil), in the third respondent school, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.13040 of 2020:

Accordingly, the impugned order dated 14.01.2020, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment



WP(MD)Nos.7051/2020, etc. batch

WEB COPY of the petitioner to the post of B.T.Assistant (English), in the fifth respondent school with effect from 01.06.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.13043 of 2020:

Accordingly, the impugned order dated 14.01.2020, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Social Science), in the fifth respondent school with effect from 11.06.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.18921 of 2020:

Accordingly, the impugned order dated 05.06.2020, on



WP(MD)Nos.7051/2020, etc. batch

WEB COPY the file of the third respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (English), in the fifth respondent school with effect from 19.03.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.18965 of 2020:

Accordingly, the impugned order dated 06.07.2020, on the file of the third respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the fifth respondent school with effect from 02.07.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY

W.P.(MD)No.19183 of 2020:

Accordingly, the impugned order dated 06.09.2019, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (History), in the fifth respondent school with effect from 07.08.2017, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.19583 of 2020:

Accordingly, the impugned order dated 24.06.2019, on the file of the second respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Assistant, in the third respondent school with effect from 06.02.2019, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.



WP(MD)Nos.7051/2020, etc. batch

WEB COPY **W.P.(MD)No.2017 of 2021:**

Accordingly, the impugned order dated 26.12.2020, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (Maths), in the fifth respondent school with effect from 01.06.2018, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.7447 of 2021:

Accordingly, the impugned order dated 26.02.2021, on the file of the third respondent and the consequential impugned order of the second respondent dated 27.01.2021 are quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of Secondary Grade Teacher, in the fourth respondent school with effect from



WP(MD)Nos.7051/2020, etc. batch

WEB COPY 17.06.2019, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.7583 of 2021:

Accordingly, the impugned order dated 05.02.2021, on the file of the fourth respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (English), in the fifth respondent school with effect from 01.06.2019, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.22965 of 2021:

Accordingly, the impugned order dated 03.08.2021, on the file of the third respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to



WP(MD)Nos.7051/2020, etc. batch

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forthwith pass orders, approving the appointment of the petitioner to the post of B.T.Assistant (History), in the fourth respondent school with effect from 09.10.2017, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.11227 of 2022:

Accordingly, the impugned order dated 09.11.2021, on the file of the first respondent is quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of Mr.S.Andrus Sam Kirubakaran, to the post of P.G.Assistant (Physics) in the petitioner school with effect from 07.02.2020, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

W.P.(MD)No.16232 of 2022:

Accordingly, the impugned order dated Nil.03.2022



WP(MD)Nos.7051/2020, etc. batch

WEB COPY (signed on 21.03.2022), on the file of the third respondent and the consequential impugned proceedings of the fourth respondent dated Nil.03.2022 (signed on 28.03.2022) are quashed. Consequently, there shall be a direction to the concerned Educational Authorities to forthwith pass orders, approving the appointment of M.Milton Joseph, to the post of Drawing Teacher in the petitioner school with effect from 01.12.2021, together with all service and monetary benefits within a period of four (4) weeks, from the date of receipt of a copy of this order.

8. The writ petitions are allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

02.09.2022

Index : Yes/No
Internet : Yes/No

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WP(MD)Nos.7051/2020, etc. batch

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To

- 1.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Thoothukudi District,
Thoothukudi.
- 2.The District Educational Officer,
O/o the District Educational Officer,
Kovilpatti,
Thoothukudi District.
- 3.The Correspondent,
Raja Higher Secondary School,
Ettaiyapuram,
Kovilpatti Education Department,
Tuticorin District.



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WP(MD)Nos.7051/2020, etc. batch

M.S.RAMESH, J.

vsm

Order made in
W.P.(MD)Nos.7051/2020, 7072/2020, 13846/2020, 10768/2021,
4384/2022, 4302/2019, 5024/2019, 5025/2019, 7009/2019,
7010/2019, 1131/2016, 10653/2019, 10956/2019, 4914/2020,
4917/2020, 4919/2020, 4926/2020, 5179/2020, 9456/2020, 13040/2020,
13043/2020, 18921/2020, 18965/2020, 19183/2020, 19583/2020,
2017/2021, 7447/2021, 7583/2021, 22965/2021,
11227/2022 and 16232/2022,
and connected W.M.Ps.

Dated:
02.09.2022