



Review Application No.71 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.07.2024

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C. KUMARAPPAN

Review Application No.71 of 2009

Thulasinga Mudaliar

..Petitioner

Vs.

1. State of Tamil Nadu rep. by
its Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.

2. Director of Elementary Education,
Chennai – 6.

3. District Elementary Educational
Officer, Thiruvannamalai.

..Respondents

Prayer: Review Application to review the judgment dated 02.02.2009



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passed in W.A. No. 3 of 2009.

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For Petitioner :: Mr.V. Sivalingam for
Mr.P. Ganesan

For Respondents :: Mr.E. Sundaram,
Govt Advocate for

R1 to R3

O R D E R

(Made by **S.M. SUBRMANIAM,J.**)

The judgment dated 02.02.2009 in W.A. No. 3 of 2009 is sought to be reviewed in this review application.

2. The grievance of the review petitioner is that the post of Secondary Grade Teacher has not been sanctioned by the Education Department. Learned counsel for the petitioner would contend that the authorities have rejected the claim based on Section 14A of Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and that the decision of the Department is erroneous.

3. The merits of the contentions raised by the petitioner cannot be adjudicated in review proceedings. Re-appreciation on merits in review



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proceedings is impermissible. Posts for Aided Schools are to be sanctioned based on the policy decision of the Government, which has been issued in G.O.Ms. No. 525 School Education (D1) Department dated 29.12.1997. The strength of students has to be taken into consideration for sanction of post based on the annual inspection to be conducted by the competent educational authority. Nonetheless, the judgment in the writ appeal had been delivered on 02.02.2009 and 15 years have elapsed since then. If at all, any grievance exists, the review petitioner has to approach the competent authority of Education Department for redressal. Besides, no

S.M. SUBRAMANIAM,J.

AND

C. KUMARAPPAN,J.

nv

error apparent on the face of record has been established by the petitioner warranting interference by this Court. Hence, the review application stands dismissed. No costs.

(S.M.S.J.) (C.K.J.)

nv

11.07.2024

To

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