



W.A.(MD)No.2075 of 2024

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 22.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
AND  
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**W.A.(MD)No.2075 of 2024  
and  
C.M.P(MD)No.14752 of 2024**

1.The Joint Director of Secondary Grade Education,  
College Road, Chennai-6.

2.The Chief Educational Officer,  
Tirunelveli,  
Tirunelveli District.

3.The District Educational Officer,  
Tirunelveli,  
Tirunelveli District.

.. Appellants/Respondents 1 to 3

Vs.

1. S.Beaula Jamine Jeyarani

.. 1<sup>st</sup> respondent/Writ Petitioner

2.The Correspondent,  
St.John's Higher Secondary School,  
Palayamkottai,  
Tirunelveli District.

.. 2<sup>nd</sup> Respondent/ 4<sup>th</sup> Respondent



W.A.(MD)No.2075 of 2024

**PRAYER:** Writ Appeal under Clause 15 of Letters Patent Act praying to set aside the order dated 09.09.2022 made in W.P.(MD)No.15506 of 2021 by allowing this appeal.

For Appellants : Mr.S.P.Maharajan  
Special Government Pleader

For Respondents : Mr.T.Pon Ram Kumar

### **JUDGMENT**

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

We are unable to find fault the Writ Court for being allowed the writ petition directing the approval of the appointment of the first respondent as BT Assistant in Mathematics in the fourth respondent School with effect from the date of her original appointment.

2. The fourth respondent having appointed the first respondent as B.T.Assistant (Mathematics) with effect from 07.07.2014 sought for approval of the post of conversion as per G.O.Ms.No.79, School Education Department dated 14.06.2002. The said approval was granted on 24.10.2017. Taking advantage of the delay in granting approval for post conversion, the authorities chose to



W.A.(MD)No.2075 of 2024

approve the appointment of the first respondent with effect from 24.10.2017. This was the subject matter challenge in the writ petition. The Writ Court, taking note of the consistent view of this Court that upgradation of the post of Secondary Grade Teacher as B.T.Assistant under G.O.Ms.No.79 is automatic and it does not require the permission of the authorities, held that the approval should have been given with effect from 07.07.2014 and not from 24.10.2017. Challenging the same, this writ appeal has been filed by the authorities.

3. This Court has consistently taken the view that the upgradation of the post of Secondary Grade Teacher consequent upon G.O.Ms.No.79 dated 14.06.2002, is automatic and approval itself is superfluous. We do not find any reason to differ from the said view. Accordingly, this Writ Appeal is dismissed. The appellants will approve the appointment with effect from 07.07.2014 within a period of eight weeks from today. No Costs. Consequently, connected miscellaneous petition is closed.

**(R.S.M., J.) (S.M., J.)**  
**22.10.2024**

NCC : Yes/No  
Index : Yes / No  
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W.A.(MD)No.2075 of 2024

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**and**  
**SUNDER MOHAN, J**

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