



W.A(MD)No.1495 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1495 of 2024
and
C.M.P(MD)No.11648 of 2024**

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat, Chennai.

2.The Director of School Education,
DPI Compound, College Road,
Chennai.

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

4.The District Educational Officer,
Tenkasi,
Tirunelveli District.

... Appellants/Respondents 1 to 4

-vs-

1.A.K.Sylvia Catherine

... 1st Respondent/Petitioner

2.The Correspondent,
A.G.High School,
Kanakapilai Valasai,
Ilatur Post, Tenkasi Taluk,
Tirunelveli District.

... 2nd respondent/5th respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order
dated 16.09.2022 made in W.P(MD)No.12893 of 2019.



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For Appellants : Mr.S.P.Maharajan,
Special Government Pleader
For R-1 : Mr.S.Chellapandian

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Being aggrieved by the order of the Writ Court, dated 16.09.2022 made in W.P(MD)No.12893 of 2019, the State is on appeal.

2. All that the learned single Judge done is to follow the well considered position of law that a minority management does not require previous permission of the Education Department to convert the post of Secondary Grade Teacher as the post of B.T. Assistant. When approval was granted, such a conversion does not alter the position of law. Several Division Benches of this Court have repeatedly pointed out that such permission is unnecessary and once the appointment is approved in a vacancy, the Education Department is bound to pay salary from the date of appointment. Hence, we do not see any merit in this writ appeal and the writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.M., J.]

[L.V.G., J.]

30.08.2024

NCC :Yes/No
Index :Yes/No
Internet:Yes
PM



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pm

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