



W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961 and 15925 of 2014
and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

WEB COPY 1 IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

**W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961
and 15925 of 2014
and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013**

W.P.No.15475 of 2013 :

1.R.Ramaiah
2.A.Subbiah
3.R.Sivanandam

... Petitioners

(Third petitioner withdrawn as per order dated 02.08.2018 in
W.P.No.15475 of 2013

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department, Fort St. George,
Chennai-9.

2.The Director Of School
Education, DPI Complex,
College Road, Chennai-6.

3.The Joint Director (Personnel)
School Education Department,
DPI Complex, College Road, Chennai-6.

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and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

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4.V.K.Raja Marees
4/142 B-1 Anandhagiri, 4th Street,
Kodaikanal, Dindigul District.

5.Tmt.Jayalatha
Krishnabhavanam, Vinayaga Nagar, K.R.Nagar Po.,
Kovilpatti - 628 503, Thoothukudi District.

6.R.Thamoltharan,
2/193-C, Bharathi Nagar, 3rd Street, Sattur-626 203,
Virudhungan District.

7.R.Nagarajan,
7-G, Kamarajar Road, Pothigai Nagar, Satchiyapuram,
Sivakasi West-626-124, Virudhunagar District.

8.Y.Christopher Jayakumar,
A.P.Puram, Loyam Po., Thovalai Tk - 629 302,
Kanniyakumari District.

9.G.Pandarasamy,
6/351, Athaikondan, K.R.Nagar Po - 628 503,
Thirunelveli District. .. Respondents in W.P.No.15475 of 2013

(R4 to R9 impleaded as per order dated 04.12.2013 in M.P.No.3/2013 in
W.P.No.15475 of 2013).

W.P.No.15944 of 2013 :

1.K.Rajendran
2.M.Banumathi
3.G.Geetha
4.P.Vallikannu
5.G.Jayakumari
6.R.Ezhilarasi



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7.I.Arulselvan

8.S.Sundararaj

... Petitioners

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director Of School Education,
DPI Complex, College Road, Chennai-600 006.

3.V.K.Raja Marees
4/142 B-1 Anandhagiri, 4th Street,
Kodaikanal, Dindigul District.

4.Tmt.Jayalatha
Krishnabhavanam, Vinayaga Nagar, K.R.Nagar Po.,
Kovilpatti - 628 503, Thoothukudi District.

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2/193-C, Bharathi Nagar, 3rd Street, Sattur-626 203,
Virudhungan District.

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7-G, Kamarajar Road, Pothigai Nagar, Satchiyapuram,
Sivakasi West-626-124, Virudhunagar District.

7.Y.Christopher Jayakumar,
A.P.Puram, Loyam Po., Thovalai Tk - 629 302,
Kanniyakumari District.

8.G.Pandarasamy,
6/351, Athaikondan, K.R.Nagar Po - 628 503,
Thirunelveli District. .. Respondents in W.P.No.15944 of 2013



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WEB COPY (R3 to R8 impleaded as per order dated 04.12.2013 in M.P.No.3/2013 in W.P.No.15944 of 2013).

W.P.No.15999 of 2013 :

Tamizhaga TAMILASIRIYAR Kazhagam,
Regn. No.149/1957 (Government
Recognition No.459/1988),
Represented by its State Deputy Secretary,
Thiru.N.Elango,
No.84, Venkatachalam Street,
Sivangagai - 630 561.

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.
- 2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.
- 3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Road,
Chennai - 600 006.
- 4.Tamil Nadu High - Higher Secondary School
Graduate Teacher Association,
No.3-A, Abdul Razack Street,
A-2, Ivory Tower, Saidapet,
Chennai - 600 015.
Rep. by its State President P.Narayanasamy
- 5.Tamil Nadu Graduate Teacher Association,
(Recognised in G.O.Ms.No.1998 dated 05.08.1981)



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No.18, Padmanabhan Street,
North Usman Road, T.Nagar,
Chennai - 600 017.

Rep. by its State President P.Elangovan ... Respondents in W.P.No.15999
of 2013

(R4 and R5 impleaded as per order dated 04.12.2013 in M.P.Nos.3 &
4/2013 in W.P.No.15999 of 2013).

W.P.No.13958 of 2014 :

S.Duraisamy

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Road,
Chennai - 600 006. ... Respondents in W.P.No.13958 of 2014

W.P.No.13959 of 2014 :

M.Karunanidhi

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to Government,



W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961 and 15925 of 2014
and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

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School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Road,
Chennai - 600 006. ... Respondents in W.P.No.13959 of 2014

W.P.No.13960 of 2014 :

K.Jayalakshmi ... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Road,
Chennai - 600 006. ... Respondents in W.P.No.13960 of 2014

W.P.No.13961 of 2014 :

P.Murugesan ... Petitioner

Vs.



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and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

WEB COPY

1.The State of Tamil Nadu

Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Road,
Chennai - 600 006.

... Respondents in W.P.No.13961 of 2014

W.P.No.15925 of 2014 :

1.K.Karuppiah

2.A.Kannan

3.N.Bhaskaran

... Petitioners

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Director of School Education,
DPI Complex, College Road, Chennai-600 006.

3.Tamil Nadu High - Higher Secondary School
Graduate Teacher's Association,
No.3-A, Abdul Razack Street,
A-2, Ivory Tower, Saidapet,
Chennai - 600 015.

Rep. by its State President S.Bakthavatchalam

.... Respondents in W.P.No.15925 of 2014



W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961 and 15925 of 2014
and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

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Prayer in W.P.No.15475 of 2013 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent herein in explanation II to Rule 2-B of the Special Rules for Tamil Nadu School Education Service brought by way of amendment vide G.O.Ms.No.181 School Education Department dated 29.10.2001 and quash the same and consequently direct the respondents to include the name of the petitioners in the panel for promotion to the post of Headmaster of High School for the year 2013-2014 and consequently promote the petitioners.

Prayer in W.P.No.15944 of 2013 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in relation to Para 3 of the proceedings of the second respondent issued in Na.Ka.No.91500/C1-E1/12 dated 19.12.2012 and quash the same in so far as the petitioners are concerned and issue a consequential direction to the respondents to treat the Degree in Tamil with Tamil Pandit qualification or with Diploma in Teacher Education as equivalent to the degree in subject with B.Ed qualification and to include the name of the petitioners in the panel as on 01.01.2013 for the post of Headmaster, High School at the appropriate places, by counting the seniority from the date of appointments as Tamil Pandit and to promote the petitioners as Headmasters, High School with service and monetary benefits from the date on which their juniors are posted as Headmaster, High School.

Prayer in W.P.No.15999 of 2013 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent herein in explanation II to Rule 2-B of the Special Rules for Tamilnadu School Education Service brought by way of amendment vide G.O.MS.No.181, School Education Department, dated 29.10.2001 and quash the same and consequently consider the date of appointment by direct



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WEB COPY recruitment/promotion of the Members of the Association to the post of B.T. Assistant (Tamil) as the crucial date for inclusion in the panel for promotion to the post of Headmaster High Schools.

Prayer in W.P.No.13958 of 2014 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to include the name of the petitioner in the Panel for promotion to the post of Headmaster High School for the year 2014-2015 as per the proceedings of the second respondent dated 13.01.2014 and consequently promote the petitioner to the post of Headmaster High School.

Prayer in W.P.No.13959 of 2014 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to include the name of the petitioner in the Panel for promotion to the post of Headmaster High School for the year 2014-2015 as per the proceedings of the second respondent dated 13.01.2014 and consequently promote the petitioner to the post of Headmaster High School.

Prayer in W.P.No.13960 of 2014 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to include the name of the petitioner in the Panel for promotion to the post of Headmaster High School for the year 2014-2015 as per the proceedings of the second respondent dated 13.01.2014 and consequently promote the petitioner to the post of Headmaster High School.

Prayer in W.P.No.13961 of 2014 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to include the name of the petitioner in the Panel for promotion to the post of Headmaster High School for the



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year 2014-2015 as per the proceedings of the second respondent dated 13.01.2014 and consequently promote the petitioner to the post of Headmaster High School.

Prayer in W.P.No.15925 of 2014 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in relation to para 3 of the proceedings of the second respondent issued in Na. Ka. No.999/C1/E1/2014 dated 12.05.2014 and quash the same in so far as the petitioners are concerned and issue a consequential direction to the respondents to treat the Degree in Tamil and the Degree in Malayalam with Tamil Pandit qualification or with Diploma in Teacher Education as equivalent to the degree in subject with B.Ed. qualification and to include the name of the petitioners in the panel as on 01.01.2014 for the post of Headmaster High School at the appropriate places by counting the seniority from the date of appointments as Tamil Pandit and to promote the petitioners as Headmasters, High School with service and monetary benefits from the date on which their juniors are posted as Headmaster, High School.

In W.P.No.15475 of 2013 :

For Petitioners : Ms.Dakshayani Reddy
For R1 to R3 : Mr.S.Prabhakaran
Government Advocate
For R4 to R9 : Mr.S.Thendral
for M/s. C.S.Associates

In W.P.No.15944 of 2013 :

For Petitioners : Mr.R.Saseetharan
For R1 and R2 : Mr.S.Prabhakaran
Government Advocate



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For R3 to R8 : Mr.S.Thendral
for M/s. C.S. Associates

In W.P.No.15999 of 2013 :

For Petitioner : Ms.Dakshayani Reddy
For R1 to R3 : Mr.S.Prabhakaran
Government Advocate
For R4 and R5 : Mr.S.Nedunchezhiyan

In W.P.No.13958 of 2014 :

For Petitioner : Ms.Dakshayani Reddy
For Respondents : Mr.S.Prabhakaran
Government Advocate

In W.P.No.13959 of 2014 :

For Petitioner : Ms.Dakshayani Reddy
For Respondents : Mr.S.Prabhakaran
Government Advocate

In W.P.No.13960 of 2014 :

For Petitioner : Ms.Dakshayani Reddy
For Respondents : Mr.S.Prabhakaran
Government Advocate



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In W.P.No.13961 of 2014 :

For Petitioner : Ms.Dakshayani Reddy
For Respondents : Mr.S.Prabhakaran
Government Advocate

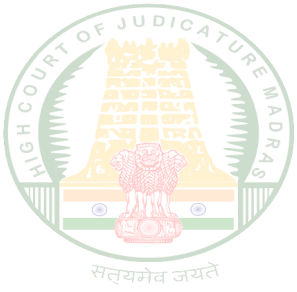
In W.P.No.15925 of 2014 :

For Petitioners : Mr.R.Saseetharan
For R1 and R2 : Mr.S.Prabhakaran
Government Advocate
For R3 : Mr.S.Nedunchezhiyan

COMMON ORDER

The issue that arises for consideration in all these batch of writ petitions is one and the same and as such they are heard together and are being disposed of by this common order.

2. In W.P.Nos.15925 of 2014 and 15944 of 2013, the proceedings bearing Na.Ka.No.91500/C1-E1/12 dated 19.12.2012 issued by the second respondent Director was challenged insofar as directing for counting of seniority of the language Tamil Pandits only from the date of

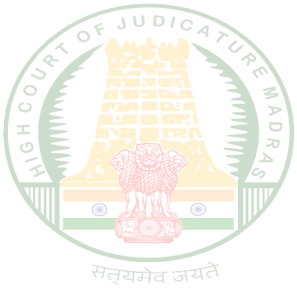


W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961 and 15925 of 2014 and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

WEB COPY acquiring B.Ed. degree is concerned, while preparing the promotion panel for the year 2013 - 2014 for filling up the post of Headmaster and Headmistress in High Schools.

2.1. Insofar as W.P.Nos.15475 and 15999 of 2013 are concerned, the petitioners, who are also working as Tamil Pandit challenged the orders issued by the Government through G.O.Ms.No.181, School Education Department dated 29.10.2001 whereby Explanation II to Rule 2B of Special Rules for Tamil Nadu School Education Service was added.

2.2. Insofar as W.P.Nos.13958, 13959, 13960 and 13961 of 2014 are concerned, the petitioners, who are also working as Tamil Pandit, sought for mandamus to include their names in the panel for promotion to the post of Headmaster of High School for the panel year 2014 -2015 in terms of the proceedings bearing Na.Ka.No.999/C1-E1/14 dated 13.01.2014 issued by the second respondent Director.



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3. By virtue of Guideline No.3 of the impugned proceedings

dated 19.12.2012, the seniority of the Tamil Pandits was directed to be taken into consideration for the purpose of promotion to the post of Headmaster / Headmistress from the date of acquiring B.Ed or B.T. qualification purportedly in terms of Explanation II of Rule 2B of the Special Rules for Tamil Nadu School Education Service. The Guideline No.3 reads as under :

“3. அரசு பள்ளிகளில் 31.12.2001 வரையில் நியமனம் பெற்று பணிபுரிந்துவரும் முதல்நிலை மொழி ஆசிரியர் மற்றும் உடற்கல்வி இயக்குநர் நிலை II ஆக நியமனம் பெற்றவர்களுள் பி.ட்டி / பி.எட் பட்டம் 31.12.2001 - க்குள் பெற்றவர்கள் மட்டும்.”

The Explanation II to Rule 2B of the Special Rules reads as under :

"Explanation II - For the purpose of fixing the inter-se seniority among the categories eligible for appointment to posts of Headmasters and Headmistresses, the date of regular appointment in the cadre shall be taken into account in the case of Deputy Inspectors of Schools, School Assistants and Career Masters and the date of passing of B.T. or B.Ed. or the date of appointment after passing the B.T. or B.Ed., whichever is later, shall be



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taken into account in respect of other categories."

The said Explanation II was challenged in some of these writ petitions. In terms of the Explanation II for all other categories other than Deputy Inspector of Schools, School Assistants and Career Masters that are included in the feeder category for the post of Headmaster and Headmistress in High Schools, the date of appointment or date of passing of B.T. or B.Ed. degree whichever is later was directed to be taken into consideration for the purpose of fixing *inter-se* seniority among the categories eligible for appointment for the post of Headmasters and Headmistresses. In the light of the above, the second respondent Director incorporated Guidelines No.3 and issued the impugned proceedings dated 19.12.2012.

4. The learned counsel for the petitioners contended that the Tamil Pandit training which was acquired by all the petitioners herein by the date of their appointment to the post of Tamil Pandits has been treated as equivalent to B.T. or B.Ed. and thereby they were treated as qualified to the post of Tamil Pandit and they were accordingly



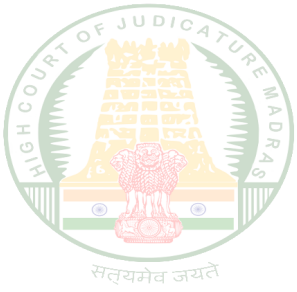
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appointed as Tamil Pandits. Thus, it is contended that the date of acquiring B.Ed. or B.T. qualification is totally an irrelevant factor, insofar as fixing the seniority of the language pandits in terms of Explanation II to Rule 2B of the Special Rules. In other words, it is their contention that the language pandit training acquired by the petitioners is treated as equivalent to B.T. or B.Ed. in terms of proviso to the qualifications prescribed for the post of teachers in language in Annexure under Rule 7(a) of the Special Rules for Tamil Nadu Higher Secondary Educational Service. The said proviso reads as under :

"Provided that for appointment to the post by recruitment by transfer from the post of Tamil Pandits in the high schools the Pandits Training or secondary grade Training shall be considered as equivalent qualification to the B.T. or B.Ed Degree."

5. The Tamil Pandit is also a language teacher. If the pandits training or secondary grade training is considered as equivalent qualification to B.T. or B.Ed. degree for the purpose of appointment to the post of teachers in language including the Tamil Pandit the same



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would also be treated as equivalent for the purpose of treating as equivalent qualification to that of B.T. or B.Ed. for being appointed to the post of Headmaster or Headmistress. Thus it is evident that the service that was rendered by the petitioners in the post of Tamil Pandit is bound to be treated as the one with all the requisite qualification including the qualification equivalent i.e. B.Ed or B.T. By virtue of the impugned Guideline No.3, referred to above the service rendered by the petitioners in the post of Tamil Pandit with due qualification is sought to be given go by, by counting their services only from the date of acquiring B.Ed. or B.T. degree which is a mandatory qualification prescribed for the post of Headmasters or Headmistresses. If the service rendered by the petitioners in the post of Tamil Pandit is without possessing the requisite qualification there is nothing wrong in counting the service rendered by them after acquiring the requisite qualification. But it is not that case here. The petitioners do possess all the requisite qualifications for the post of Tamil Pandit and the post of Tamil Pandit is included in the Feeder category to the post of Headmasters and Headmistresses. Under those circumstances, the action of the respondents in not taking



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into account the service rendered by the petitioners in the post of Tamil

Pandit prior to acquiring B.Ed. degree is totally arbitrary and illegal.

6. Thus the Explanation II of Rule 2B added to G.O.Ms.No.181, School Education Department dated 29.10.2001 to the extent of restricting counting of service rendered by the other categories included in the feeder category to the post of Headmasters and Headmistresses i.e. other than Deputy Inspectors of Schools, School Assistants and Career Masters, is bound to be declared as arbitrary and illegal.

7. Further the post of Tamil Pandits is also treated as equivalent to the School Assistant by virtue of orders issued by the Government in G.O. Ms.No.686, Education Department dated 19.06.1989. In view of the same also, the benefit that is being extended in favour of School Assistants by taking into consideration the service rendered by them prior to acquisition of B.T. or B.Ed. qualification and denying the same to the Language Pandits is again arbitrary and illegal



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under Article 14 and 16 of the Constitution of India.

8. In the light of the above, the Explanation II to the extent of depriving the service rendered by the petitioners in the post of language pandit prior to acquiring B.T. or B.Ed Degree is liable to be declared as illegal and arbitrary.

9. Be that as it may, by virtue of the interim orders passed in first four writ petitions i.e. W.P.Nos.15475, 15944, 15999 of 2013 and 15925 of 2014, the names of the petitioners therein were duly included in the panel for promotion to the post of Headmaster for the panel year 2013-2014 and they were also promoted. However, their services are not regularised because of the pendency of these writ petitions. Insofar as the other four writ petitions are concerned, which are pertaining to the panel year 2014-2015, the second respondent himself issued instructions directing the consideration of the case of the language pandits by duly taking into consideration their seniority from the date of their appointment to the post of language pandit and accordingly, all the cases of the



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petitioners were considered in terms of the interim orders passed in the said writ petitions and they were also promoted to the post of Headmasters / Headmistresses and they are all continuing as on date. However, their services were also not regularised.

10. Thus it is evident from the proceedings bearing Na.Ka.No.999/C1-E1/14, dated 13.01.2014 issued by the second respondent, the respondents themselves have decided to take into consideration the services rendered by the language pandit from the date of their appointment instead of, from the date of acquiring B.T or B.Ed Degree, practically no adjudication on merits is required. However, as this Court has already come to the conclusion that the Explanation II to the limited extent as noted above is violative of Article 14 and 16, the said Explanation II added through G.O. Ms. No.181, Education Department, dated 29.10.2001 to Rule 2B of the Special Rules for Tamil Nadu School Education Service is hereby quashed to the extent of preventing the language pandit from counting the service rendered by them prior to acquisition of B.T. or B.Ed. Degree for the purpose of



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seniority for inclusion in the panel for promotion to the post of Headmaster / Headmistress is declared as arbitrary and illegal and the same is accordingly quashed to the said extent.

11. Accordingly, these Writ Petitions are allowed, directing the respondents to regularise the services of the petitioners from the date of their promotion to the post of Headmaster / Headmistress and extend all other consequential benefits including monetary benefits, as expeditiously as possible, at any rate, within a period of three (3) months from the date of receipt of a copy of this Court.

12. In the result, these Writ Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

09.07.2025

(2/2)

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



W.P.Nos.15475, 15944 and 15999 of 2013, 13958, 13959, 13960, 13961 and 15925 of 2014
and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

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To

1.The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department, Fort St. George,
Chennai-9.

2.The Director Of School
Education, DPI Complex,
College Road, Chennai-6.

3.The Joint Director (Personnel)
School Education Department,
DPI Complex, College Road, Chennai-6.

4.V.K.Raja Marees
4/142 B-1 Anandhagiri, 4th Street,
Kodaikanal, Dindigul District.

5.Tmt.Jayalatha
Krishnabhavanam, Vinayaga Nagar, K.R.Nagar Po.,
Kovilpatti - 628 503, Thoothukudi District.

6.R.Thamoltharan,
2/193-C, Bharathi Nagar, 3rd Street, Sattur-626 203,
Virudhungan District.

7.R.Nagarajan,
7-G, Kamarajar Road, Pothigai Nagar, Satchiyapuram,
Sivakasi West-626-124, Virudhunagar District.

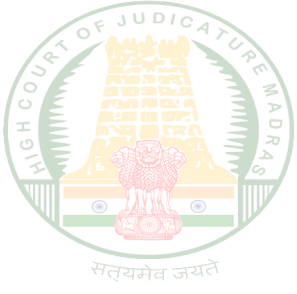
8.Y.Christopher Jayakumar,
A.P.Puram, Loyam Po., Thovalai Tk - 629 302,
Kanniyakumari District.



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9.G.Pandarasamy,
6/351, Athaikondan, K.R.Nagar Po - 628 503,
Thirunelveli District.



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MUMMINENI SUDHEER KUMAR, J.

mtl

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and M.P.Nos.1 of 2014 (3 cases), M.P. Nos.2,4, 5, 6 of 2013

09.07.2025