



W.P.Nos.4330 and 4333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.Nos.4330 and 4333 of 2024
and W.M.P.Nos.4661 and 4663 of 2024**

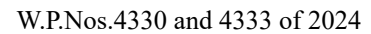
W.P.No.4330 of 2024

M.Mary Helen

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Ariyalur Taluk,
Ariyalur District-621 704.
- 4.The District Educational Officer (Secondary),
Office of the District Educational Officer,
Ariyalur Taluk,
Ariyalur District-621 704.



... Respondents

W.P.No.4333 of 2024

... Petitioner

Vs.

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



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3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Ariyalur Taluk,
Ariyalur District-621 704.

4.The District Educational Officer (Secondary),
Office of the District Educational Officer,
Ariyalur Taluk,
Ariyalur District-621 704.

5.The Correspondent,
Fatima Girls' Higher Secondary School,
T.Palur Road, Udayarpalayam Taluk,
Jayankondam-621 802,
Ariyalur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 01.12.2020 in O.Mu.No.3336/A4/2020 on the file of the third respondent and quash the same, directing the respondents 1 to 4 to accord approval to the appointment of the petitioner, Mrs.S.Saveriammal, working as B.T.Assistant (History) in the fifth respondent Fatima Girls' Higher Secondary School, Jayankondam-621 802, Ariyalur District, with effect from 03.06.2019, with all service and monetary benefits.



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In both petitions

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For Petitioner : Mr.Father Xavier Arulraj
Senior Counsel
for Mr.Father Xavier Associates

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R4

COMMON ORDER

These Writ Petitions have been filed challenging the impugned orders dated 01.12.2020 issued by the third respondent and for a consequential direction to the respondents 1 to 4 to accord approval to the appointment of the petitioners working as B.T.Assistant (History) in the fifth respondent Fatima Girls' Higher Secondary School, Jayankondam-621 802, Ariyalur District, with effect from 03.06.2019, with all service and monetary benefits.

2. When the matters are taken up for hearing, the learned counsel appearing for the petitioners submitted that the issue raised in these writ petitions is squarely covered by the order of this Court in W.P.No.4311 of 2024 dated 04.12.2025, wherein, this Court has quashed the impugned order therein and directed to grant approval for appointment of the



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petitioner therein. The petitioners in the present case are being similarly situated. The learned counsel prays that same relief may be granted.

3. The learned Special Government Pleader appearing for the respondents 1 to 4 in both petitions does not refute the said contention and fairly submits that on earlier occasion, this Court on the same set of facts has granted the aforesaid relief.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4 in both petitions.

5. This Court perused the order dated 04.12.2025 in W.P.No.4311 of 2024, wherein in similar circumstances, this Court has passed the following order:-

“9. On that day when the impugned order was passed, the Government order was in-force. The counter affidavit was



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filed only in the month of September 2024. The order of the Hon'ble Division Bench of this Court is dated 31.03.2021. Atleast after the order of the Division Bench, the Government ought to have revisited its previous orders and recalled them. The fifth respondent School has categorically stated that no excess teachers were available. On the other hand, the School itself stated in clear terms that no surplus post was available. Considering the academic interest of the students, the Government ought to have approved the appointment of the petitioner. The petitioner has stated that she is working without salary from the date of appointment.

10. As mentioned above, the counter affidavit is very vague by not mentioning about the order passed by the Hon'ble Division Bench of this Court in respect of modifying the Government order inoperative.

11. The third respondent has taken shelter under the clearance of TET examination. The clearance of TET examination by the teachers is not pertaining only to the petitioner. This is an issue covering the entire State of Tamil Nadu. The Government is aware of the directions of the Hon'ble Supreme Court of India and it is the duty of the Government to ensure that every teacher clears the TET Examination.



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12. In the case on hand, the petitioner was initially appointed during May 2019 and recommendation was made by the fifth respondent School in June 2019. Therefore, this Court has no hesitation to hold that the impugned order is totally unjustifiable.

13. In the result, this Writ Petition stands allowed and the impugned order dated 01.12.2020 passed in O.Mu.No.3335/A4/2020 is quashed. The third respondent is directed to grant approval to the appointment of the petitioner as B.T.Assistant in the fifth respondent School within a period of 12 weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Connected miscellaneous petition is closed.”

6. In view of the fact that the relief claimed in the writ petition is squarely covered by the aforesaid order which is not disputed by the respondents, these Writ Petitions are allowed and the impugned orders dated 01.12.2020 issued in O.Mu.No.3337/A4/2020 and O.Mu.No.3336/A4/2020 issued by the third respondent are quashed. The third respondent is directed to grant approval to the appointment of the petitioners as B.T.Assistant in the fifth respondent School within a period of 12 weeks from the date of receipt



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of a copy of this order. There shall be no order as to costs. Connected
miscellaneous petitions are closed.

05.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To

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Represented by its Principal Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Ariyalur Taluk,
Ariyalur District-621 704.
- 4.The District Educational Officer (Secondary),
Office of the District Educational Officer,
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M.DHANDAPANI, J.

ssb

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