



WEB COPY

WP No. 7150 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WP No. 7150 of 2025

Gandhi Memorial Higher Secondary
School (Private Aided School),
Rep by its Secretary Mr.A.Sasidharan,
Cuddalore Main Road,
Thiruvannainallur, Viluppuram District.

Petitioner(s)

Vs.

1. State of Tamilnadu,
Rep by its Principal Secretary to
Government,
School Education Department,
Fort St. George, Secretariat Chennai-09.

2.The District Chief Educational Officer,
Villupuram District.

3.K.Veeraragavan
S/o. Krishnamoorthy.

4.Gandhi Higher Secondary School
Rep. by its Correspondent,
Thiruchitrambalam,
Vanoor, Villupuram District.

5.Sri Sivaprakasa Swamigal Higher
Secondary School,
Rep by its Correspondent, Mailam,
Villupuram District.

Respondent(s)



PRAYER: This writ petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records of the 2nd respondent in order dated 31.12.2024 bearing No. Na.Ka. No. 8010/a4/2024 and quash the same.

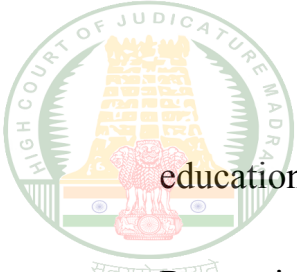
For Petitioner(s): Mr.B.Ravindran, Senior Counsel
for Mr. P.J. Rishikesh

For Respondent(s): Ms.N.Kavitha Rameshwar for R3
Mrs.Mythreye Chandru Spl GP
For R1 And R2
Mr. A.Sasivel For R4
Mr. S.Nedunchezhiyan For R5

ORDER

This writ petition has been filed in the nature of Certiorari seeking records relating to an order dated 31.12.2024, in Na.Ka. No. 8010/a4/2024, passed by the second respondent/the District Chief Educational Officer, Villupuram and quash the same.

2.In the affidavit filed in support of the writ petition, it had been contended that the petitioner School had been established in the year 1947 with an object of imparting quality education to the poor and downtrodden, more specifically, for the rural poor and had been rendering service in the field of



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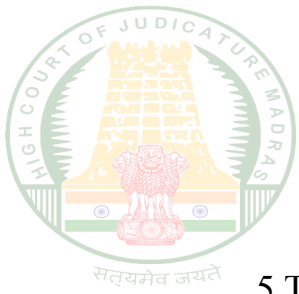
education over several decades. It is governed by the provisions of Tamil Nadu Recognised Private Schools (Regulations) Act, 2018 and the Rules made thereunder. It had been further contended that there are about 1100 students studying in the school between VI standard to XII standard and there is also an aided Tamil Medium School apart from English Medium and Self Finance Sections with 340 students. The second respondent, the District Chief Educational Officer at Villupuram District had passed an order on 31.12.2024, by which the third respondent/K.Veeraragavan, BT Tamil Teacher, had been transferred to the petitioner School. The petitioner had raised grievances that there had been no prior consultation with the administration of the petitioner School before effecting transfer. It had been further stated that the third respondent had been initially appointed in the fourth respondent school/Gandhi Higher Secondary School at Thiruchitrambalam, Villupuram District. There was a further order of deployment passed by the second respondent deploying the third respondent from the fourth respondent to the fifth respondent school/Sri Sivaprakasa Swamikal Higher Secondary School, Mailam, Villupuram.



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3. Let me not enter into any further discussions regarding the various averments or allegations made by the petitioner School. Let me only state that the learned Senior Counsel for the petitioner has expressed serious grievances over the transfer of the third respondent to the petitioner School and had raised issues relating to his educational qualification and the veracity of the same. But however, there is no dispute over the fact that he is a qualified BT Tamil teacher and is eligible to be so appointed and he is also posted in the petitioner School.

4. A counter affidavit had been filed by both fourth and fifth respondents. Again, both the counter affidavits meander around the conduct of the third respondent and since that particular issue had not been directly considered by this Court, let me not state anything adverse to the interest of the third respondent. Let me again reiterate that he is a teacher and therefore, due respect should be shown to his position. The District Chief Educational Officer of Villupuram had filed a counter affidavit, wherein, justification had been made for the order now complained by the petitioner herein. It had been stated that the third respondent will necessarily have to be fitted in any one educational institution.



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5. Taking into consideration the peculiar facts of the case, the Court had engaged in having a discussion with the learned Senior Counsel for the petitioner and with the learned Special Government Pleader for the respondents 1 & 2 and the learned counsel for the 3rd, 4th and 5th respondents. It had been uniformly represented that it would serve the ends of justice if caution is exercised over the entire issue. I must deeply appreciate the stand taken on behalf of the petitioner by the learned Senior Counsel. The petitioner had filed a further affidavit, which is as follows:

2. During the course of hearing of writ petition held on 15.04.2025, it was agreed that the 3rd respondent would formally report to petitioner school, then the 2nd respondent would immediately depute the 3rd respondent to another school in Villupuram district and the 3rd respondent would report to the said school. The petitioner hereby respectfully agrees to the said proposals put forth



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by the 2nd respondent before this Hon'ble Court as mentioned above.

6. This particular arrangement is to the satisfaction of all the parties to the writ petition. The learned Special Government Pleader also stated that the third respondent should be permitted to report before the petitioner School and stated that the second respondent would take steps immediately to deploy him in any other Government school. But, let me place a time frame for such orders of deployment to be passed and I would state that within a period of two weeks from the date the third respondent reports and joins with the petitioner School, further orders deploying him to any other Government school must be passed by the second respondent. The third respondent may only be rest assured that probably his services are required more by the students of the school to which he is deployed and therefore, he can continue with his profession of imparting education to the students there.

7. The learned counsel for the third respondent further stated that there should be some protection granted for the service conditions of the third



respondent. In this connection, the learned Special Government Pleader also affirmed that there would be continuity of service, but for the period which the third respondent actually did not discharge his duty as a teacher, he cannot claim any monetary benefits.

8. In view of all these statements made and decision taken, the writ petition stands disposed of with the following directions:

(i) The third respondent may report before the petitioner School on or before 30.04.2025.

(ii) The second respondent or the competent officer/the District Chief Educational Officer, Villupuram District, may pass orders deploying the third respondent to any Government school in Villupuram District and such orders must be passed on or before 16.05.2025.

(iii) The services of the third respondent is protected and there would be continuity in service, but for the period in which he had not discharged his duty as a teacher, he is not entitled for any monetary benefits.



(iv) In view of the above directions issued, the impugned order is set aside

and an order in accordance with the above directions may be issued afresh by

the second respondent. No Costs. Consequently, connected miscellaneous

petitions, if any, are also closed.

24-04-2025

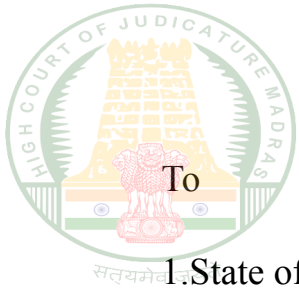
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1.State of Tamil Nadu

Rep By Its Principal Secretary to Government,
School Education Department, Fort St. George,
Secretariat Chennai-09.

2.The District Chief Educational Officer
Villupuram District.

3.K.Veeraragavan
S/o. Krishnamoorthy,
Sri Sivaprakasa Swamigal Higher Secondary
School, Mailam, Villupuram District.

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