



W.P.No.13566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.11.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.13566 of 2025

The Correspondent
Danish Mission Elementary School
T.Edaiyar, T.Mazhavarayanur
Elandurai
Thiruvennainellur Taluk
Villupuram District.

... Petitioner

Vs.

1.The Director of School Education
DPI Campus, Chennai 600 006.

2.The Chief Educational Officer
Villupuram District.

3.The District Elementary Educational Officer
Villupuram District.

4.The Block Educational Officer
Thiruvennainellur Taluk
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution praying to



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issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Na.Ka.No.1433/A4/2023 dated 12.03.2025 and quash the same and consequently direct the respondents to grant approval of the appointment of Kennady Christopher with effect from 01.03.2019 in the post of Secondary Grade Teacher in the petitioner school with all service and monetary benefits by taking into account the fact that the appointment was made prior to the issuance of G.O.Ms.No.165 dated 17.09.2019 and that the petitioner school is a minority school and TET cannot be insisted upon with all monetary and service benefits.

For Petitioner : Mr.C,Mahendran

For Respondents : Mrs.Mythreye Chandru
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 12.03.2025 on the file of the third respondent thereby rejecting the approval of appointment of K.Kennady Christopher with effect from 01.03.2019 in the



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post of Secondary Grade Teacher in the petitioner's School.

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2. The petitioner's School is a minority institution under the Management of the Arcot Lutheran Church. While being so, a vacancy arose due to promotion of one Marilyn Serena Chellakumari as Headmistress of the petitioner's School with effect from 01.03.2019. In the said vacancy, one K.Kennady Christopher was appointed as Secondary Grade Teacher with effect from 01.03.2019. Thereafter, the petitioner had sent a proposal to approve the appointment of him as a Secondary Grade Teacher. However, it was rejected on two grounds i.e., already on the same dates there was a surplus of teachers in the post of Secondary Grade Teacher and the concerned teacher failed to qualify in Teacher Eligibility Test (TET).

3. The learned counsel for the petitioner would submit that G.O.Ms.No.165 prohibited the approval of appointment where there is a surplus. Thereafter, the said G.O.Ms became inoperative and as such, on the ground of surplus the approval of the appointment to the post of Secondary Grade Teacher cannot be rejected. She further submitted that the petitioner's



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school is a minority institution and as such, the Teacher Eligibility Test (TET) is not applicable to the case of the petitioner.

4. The learned counsel for the third respondent filed a counter affidavit and I have perused the counter affidavit and also the submissions made by Mrs.S.Mythreye Chandru, learned Special Government Pleader.

5. The petitioner has failed to ensure that there are no surplus teachers available in the School for the Management before filing the Writ Petition vacant post.

6. Three surplus posts of Secondary Grade Teacher were available in the other School of the same Danish Mission Corporate Management as per the students strength as on 01.08.2024. In fact, now there are three surplus teachers who are very much available in the post of Secondary Grade Teacher as on 01.08.2024. On the date of appointment that is on 01.03.2019 there was surplus post and hence, the appointment of Mr.K.Kennady Christopher cannot be approved and the proposal was rightly rejected by the third respondent and hence, this Court finds no infirmity or illegality in the order



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passed by the third respondent.

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7. In the result, this Writ Petition is dismissed. No costs.

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Index: Yes/No
Neutral Citation/Yes/No
dna

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G.K.ILANTHIRAIYAN, J.

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