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Rev.A.Nos.170, 171 & 172 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Orders Reserved on : 09.07.2025

Pronouncing orders on : 15.07.2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Review Application Nos.170, 171 and 172 of 2025

Rev.A.No.170 of 2025

1.A. Mohammed Appas

2.A. Bharathi Lakshmi

3.J. Dhanalakshmi

Petitioner(s)

Vs

1. L.S.Churchil Chinnaiah

2.M.Selvarajan

3.P.Nagalakshmi

4.R.Megala

5.M.Kavitha

6.E.Shakunthala

7.S.Saraswathi



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8.D.Vijayalakshmi

9.R.Hemavathi

10.P.Venkatesan

11.R.Saravanan

12.V.Thenmozhi

13.K.Ramar

14.J.Seyed Mohudoom Beevi

15.K.Sutha

16.V.Kohilavani

17.B.Dhandapani

18.V.Murugalakshmi

19.P.Mariammal Paramasivan

20.G.Gnanaprathayini

21.S.Sumathi

22.M.Nalini

23.P.Mageshwari

24.R.Padmavathy

25.S.Priyanka

26.R.Aruna



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27.K.Parimala

28.N.Thambuswamy

29.G.Mathavaraj

30.J P.Ravi

31.S.Preetha

32.K.Sulochana

33.M.Thangadurai

34.A.Amutha

35.R.Anbu

36.M.Janaki

37.N.Usharani

38.R K.Merlin Rajini

39.N.Deepa

40.K C.Janani

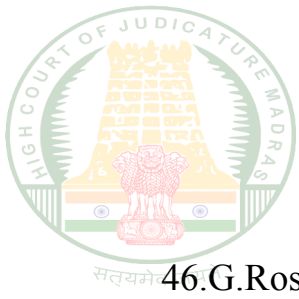
41.K.Muppidathi @ Selvarani

42.S.Uma Maheswari

43.M.Ganesan

44.K.Gayathri

45.M.Subramani



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46.G.Rosita Rexalin

47.V.Kavitha

48.T.Anandhi

49.J.Indumathi

50.A.Rameshkumar

51.G.Vinoth Kumar

52.N.Vijayamala

53.M.Subramani

54.J.R.Srinivasan

55.A.Muthuameena

56.K.Udhayakumar

57.S.Soundararajan

58.P S.Thyagarajan

59.A.Nirmala

60.K.Jayaguru

61.S.Michel

62.T.Ganesan

63.V.Buvaneshwari

64.P.Krishna Poongothai



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65.T.Livingta

66.R.Umagowri

67.A.Raju

68.B.Raveendiran

69.P.G.Saranbabu

70.V.Anitha

71.D.Radha

72.S.Deepa

73.P.Kokila

74.S.Malarselvi

75.K.Sekar

76.P.Anbarasu

77.M.Kanagasabapathy

78.M.Sathiyakeerthi

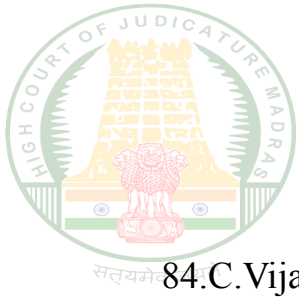
79.A.Kasinathan

80.H.Mohamedumar

81.M.Pragadeeswaran

82.C.Thaiyalnayaki

83.K.Concelia



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84.C.Vijayalakshmi

85.S.Amutha Rajeswari

86.N.Venkatalakshmi

87.N.Somasundaram

88.R.Jayabarathi

89.B.Jaya Sutha

90.G.Kalpana

91.V.Kanagaraj

92.T.Murugesan

93.C S.Thirunavukkarasu

94.B.Mariarosalin

95.M.Karthika

96.D.Jeyaraj

97.U.Marsiha begum

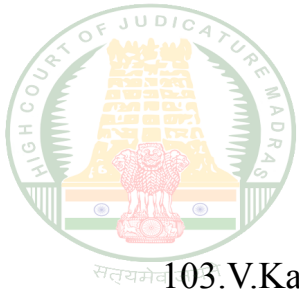
98.S.Barani

99.S.Nishanthi

100.M.Boomah Devi

101.P.Senthilkumar

102.K.Arunnehr



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103.V.Kalaiselvan

104.C.Maruthuraj

105.S.Sivagami

106.K.Shabina Banu

107.T.Geetha

108.A.Saravanakumar

109.J.Sebastin Anbu Raj

110.S.Silambuselvi

111.D.Chitra

112.S.Sathiya

113.S.Balamurugan

114.C.Thambidurai

115.P.Rajini

116.P.Srividhya

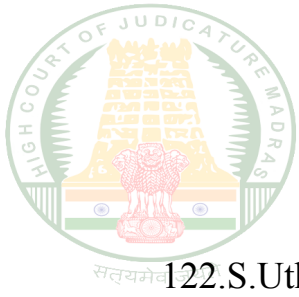
117.G.Umamaheswari

118.M.Kalaiyarasi

119.U.Arulanandham

120.M.Muthukrishnan

121.M.Shanbagavalli



122.S.Uthirapathi

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123.N.Purusothaman

124.G.Raja

125.R.Gowri

126.L.Balaji

127.P.Rajkumar

128.K.Maheswari

129.K.Sudhamathi

130.P.Kavitha

131.R.Tamilarasi

132.P.Prema

133.R.Manikandan

134.L .Rajalakshmi

135.T.Anbazhagan

136.R.Vetriselvan

137.A.Ezhilarasi

138.P.Ramalakshmi

139.V.Navaneeth

140.K.Gowri



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141.R.Mahesh

142.S.Jareen Banu

143.K.Kannan

144.N.Prema

145.S.Sumathi (Deceased)

146.R.Sangeetha

147.A.Gnana Rosy

148.K.Menaka

149.R.Selvakumar

150.G.Lakshmi

151.M.Arulmozhi

152.R.Saranraj

153.S.Suseela

154.R.Govindarasu

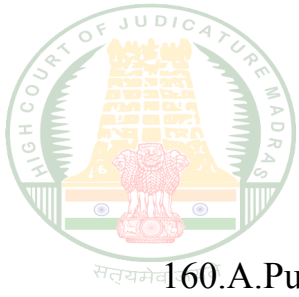
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156.N.Jayanthi

157.M.Kalpana

158.T.Nithya

159.P.Sumathi



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160.A.Pushparaju

161.S.Syed Yusuff

162.K.R.Ganesan

163.R.Selvamani

164.P.Thangamani

165.P.Rajkumar

166.P.Tharani

167.K.Jegatheeswari

168.N.Senthilkumar

169.B.Meenasaranya

170.A.Usha

171.G.Sangareswari

172.N.Veerassamy

173.S.Kamalasridevi

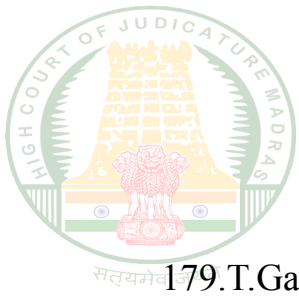
174.R.TamilSelvi

175.B.Esakkimuthu

176.D.M.Rama

177.R.Shrijayanthi

178.K.Kalaivani



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179.T.Ganga Parameswari

180.M.Brammasakthi

181.S.Amuthalakshmi

182.L.Raveendra Kumar

183.P.Kalaichelvi

184.M.Krishna Moorthy

185.R.Selvaraj

186.S.Jothi

187.S.Rathivinaisha

188.P.Kuppuraj

189.K.Senthil Sevugapandian

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

191.The Commissioner of School Education,
DPI Campus,
College Road, Chennai -600 006.

192.The Joint Director of School Education (Personnel),
(Higher Secondary) D.P.I. Campus,
College Road, Chennai -600 006.

Respondent(s)



WEB COPY **PRAYER** Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C., to review the order made in W.P.No.9011 of 2022 dated 21.03.2025 by reviewing that the post of typists is also eligible for inclusion within 2% set apart for the post of BT Assistants.

For Applicant(s): Mrs.Dakshayani Reddy for
Ms.S.Suneetha

For Respondent(s): Mrs.N.Kavitha Rameshwar
for R1 to R189

Mr.P.S.Raman
Advocate General assisted by
Mrs.S.Mythreye Chandru
Special Government Pleader
for R190 to R192

Rev.A.No.171 of 2025

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

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



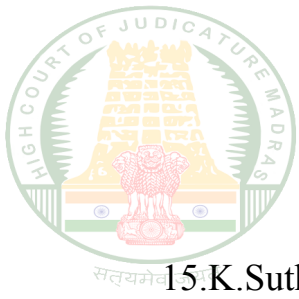
WEB COPY

3.The Joint Director of School Education (Personnel),
(Higher Secondary) D.P.I. Campus,
College Road, Chennai -600 006.

Petitioner(s)

Vs

1. L.S.Churchil Chinnaiah
- 2.M.Selvarajan
- 3.P.Nagalakshmi
- 4.R.Megala
- 5.M.Kavitha
- 6.E.Shakunthala
- 7.S.Saraswathi
- 8.D.Vijayalakshmi
- 9.R.Hemavathi
- 10.P.Venkatesan
- 11.R.Saravanan
- 12.V.Thenmozhi
- 13.K.Ramar
- 14.J.Syed Mohudoom Beevi



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15.K.Sutha

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19.P.Mariammal Paramasivan

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25.S.Priyanka

26.R.Aruna

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28.N.Thambuswamy

29.G.Mathavaraj

30.J P.Ravi

31.S.Preetha

32.K.Sulochana

33.M.Thangadurai



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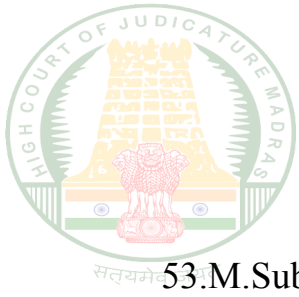
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52.N.Vijayamala



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66.R.Umagowri

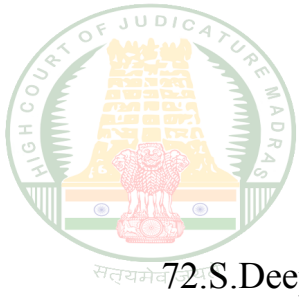
67.A.Raju

68.B.Raveendiran

69.P.G.Saranbabu

70.V.Anitha

71.D.Radha



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72.S.Deepa

73.P.Kokila

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78.M.Sathiyakeerthi

79.A.Kasinathan

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94.B.Mariarosalin

95.M.Karthika

96.D.Jeyaraj

97.U.Marsiha begum

98.S.Barani

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101.P.Senthilkumar

102.K.Arunnehr

103.V.Kalaiselvan

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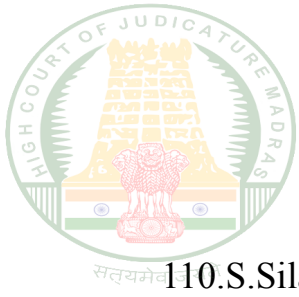
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106.K.Shabina Banu

107.T.Geetha

108.A.Saravanakumar

109.J.Sebastin Anbu Raj



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110.S.Silambuselvi

111.D.Chitra

112.S.Sathiya

113.S.Balamurugan

114.C.Thambidurai

115.P.Rajini

116.A.MohamedAppas

117.P.Srividhya

118.G.Umamaheswari

119.M.Kalaiyarasi

120.U.Arulanandham

121.M.Muthukrishnan

122.M.Shanbagavalli

123.S.Uthirapathi

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126.R.Gowri

127.L.Balaji

128.P.Rajkumar



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129.K.Maheswari

130.K.Sudhamathi

131.P.Kavitha

132.R.Tamilarasi

133.P.Prema

134.R.Manikandan

135.A.Bharathi Lakshmi

136.J.Dhanalakshmi

137.L .Rajalakshmi

138.T.Anbazhagan

139.R.Vetriselvan

140.A.Ezhilarasi

141.P.Ramalakshmi

142.V.Navaneeth

143.K.Gowri

143.R.Mahesh

145.S.Jareen Banu

146.K.Kannan

147.N.Prema



WEB COPY

148.S.Sumathi

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150.A.Gnana Rosy

151.K.Menaka

152.R.Selvakumar

153.G.Lakshmi

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156.S.Suseela

157.R.Govindarasu

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159.N.Jayanthi

160.M.Kalpana

161.T.Nithya

162.P.Sumathi

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164.S.Syed Yusuff

165.K.R.Ganesan

166.R.Selvamani



WEB COPY

167.P.Thangamani

168.P.Rajkumar

169.P.Tharani

170.K.Jegatheeswari

171.N.Senthilkumar

172.B.Meenasaranya

173.A.Usha

174.G.Sangareswari

175.N.Veerassamy

176.S.Kamalasridevi

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180.R.Shrijayanthi

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182.T.Ganga Parameswari

183.M.Brammasakthi

184.S.Amuthalakshmi

185.L.Raveendra Kumar



186.P.Kalaichelvi

187.M.Krishna Moorthy

188.R.Selvaraj

189.S.Jothi

190.S.Rathivinaisha

191.P.Kuppuraj

192.K.Senthil Sevugapandian

Respondent(s)

PRAYER Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C., to review the petition as against the order dated 21.03.2025 passed in W.P.No.9011 of 2022.

For Applicant(s): Mr.P.S.Raman
Advocate General assisted by
Mrs.S.Mythreye Chandru
Special Government Pleader

For Respondent(s): Mrs.N.Kavitha Rameshwar



Rev.A.No.172 of 2025

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

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

Review Applicant(s)

Vs

1. M Thangadurai

2.M Ramya

3.K Maheswari

4.K Umadevi

5.The Teachers Recruitment Board
Rep. by its Chairman
4th Floor, D.P.I. Campus,
College Road, Chennai-600 006.

Respondent(s)

PRAYER Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C., to review the petition as against the common order dated 21.03.2025 passed in W.P.No.32621 of 2024.



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Rev.A.Nos.170, 171 & 172 of 2025

For Applicant(s): Mr.P.S.Raman
Advocate General assisted by
Mrs.S.Mythreye Chandru
Special Government Pleader

For Respondent(s): Mrs.N.Kavitha Rameshwar
for R1 to R4
Mr.R.Neelagandan
Additional Advocate General
assisted by
Mr.C.Kathiravan
Standing Counsel for R5

COMMON ORDER

The issue involved in all these Review Applications are common and hence, they are taken up together, heard and disposed of through this common order.

2.Review Application Nos.171 and 172 of 2025 have been filed by the State of Tamil Nadu and the Education Department, to review the order passed in W.P.No.9011 of 2022. Review Application No.171 of 2025 pertains to the post of P.G. Assistant and Review Application No.172 of 2025 pertains to the post of B.T. Assistant.



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3.Review Application No.170 of 2025 pertains to the extension of the benefit conferred by the order passed by this Court in the writ petition to Typists on par with Junior Assistants.

4.Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the respondents.

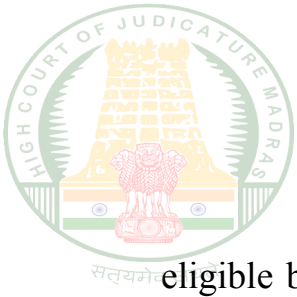
5.The learned Advocate General appearing on behalf of the review applicants in Review Application Nos.171 and 172 of 2025 submitted that certain vital facts were not brought to the notice of this Court when the writ petitions were heard. It was submitted that insofar as B.T. Assistants are concerned, they come under Tamil Nadu Ministerial Service. The learned Advocate General pointed out to G.O.Ms.No.175 dated 19.07.2007, which was issued based on a statement made by the Hon'ble Minister on the floor of the House and it was submitted that this Government Order was not passed in



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exercise of power under Article 309 of the Constitution of India. The learned Advocate General also pointed out G.O.Ms.No.7, dated 20.01.2020, which was issued under Article 309 of the Constitution of India and in this Government Order, it was made clear that the amendments will come into force with effect from 19.07.2007. This Government Order provided that 2% out of 50% of vacancies would be earmarked for promotion by recruitment by transfer and it will be filled up from among those staffs who are Superintendents, Assistants and Junior Assistants who are qualified in the Tamil Nadu Ministerial Service and working in School Education Department. Subsequently, G.O.Ms.No.13, dated 30.01.2020, was also issued under Article 309 of the Constitution of India and the Special Rules came into force only from the date of its publication and it was made clear that the recruitment by transfer will be made in the ratio of 50%:48%:2%.

6.By relying upon the above Government Orders, it was submitted that for the period between 2014-2015 up to 2016-2017, 32 vacancies would be

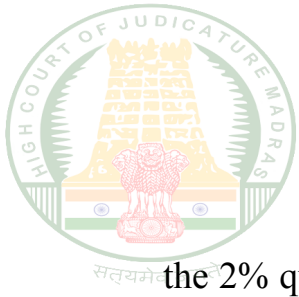


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eligible by calculating 2% out of 50% vacancies. It was further submitted that there was no promotion or recruitment during 2017-2018 up to 2022-2023 and therefore, there is no need to grant any promotion by recruitment by transfer for this period. For the period from 2023-2024, there will be 119 vacancies and these will be filled up in the ratio of 2% out of total 100%. Thus, totally 151 persons will be eligible from the Ministerial Service and whereas, it was wrongly informed to this Court that 517 persons will be eligible under the 2% quota for promotion by recruitment by transfer.

7. Apart from the above, the learned Advocate General also pointed out that year wise seniority cannot be adopted, since there are many seniors who have been awaiting for a very long time for their promotion and if year wise seniority is done, many of the juniors who fall under the 2% quota will be placed above their seniors.

8. The learned Advocate General further submitted that the Typists are not covered under any of the Government Orders and they will not be eligible under



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the 2% quota. G.O.Ms.No.126 dated 21.05.2025, has been issued by the School Education Department under Article 309 of the Constitution of India and hence, persons claiming under the 2% quota will have to satisfy the qualification prescribed.

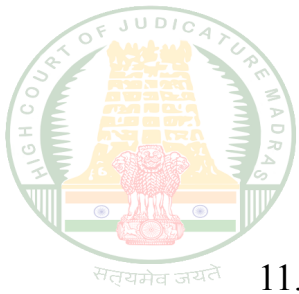
9.Insofar as Review Application No.171 of 2025 is concerned, the learned Advocate General pointed out to G.O.Ms.No.720, dated 28.04.1981, which provided that the post of P.G. Assistants will be filled up in the proportion of 50:50 for recruitment by transfer and by promotion. Subsequently, G.O.(4D).No.21, dated 02.11.2011, came to be issued and this brought the 2% quota out of 50%. However, this Government Order was not passed under Article 309 of the Constitution of India. In spite of the same, for the period from 2011-2012 and 2013-2014, 71 persons were appointed under the 2% quota. There was no promotion for the period from 2014-2015 to 2021-2022. Ultimately, G.O.Ms.No.14, dated 30.01.2020, was issued under Article 309 of the Constitution of India and this provided for the amendment to the education



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service and it provided for 2% quota. This amendment came into effect only from 30.01.2020 and was not given any retrospective effect. Therefore, the 2% quota can be implemented only from 01.01.2021. For the period from 2014-2015 up to 2021-2022, 164 vacancies arose under the 2% quota and 128 persons were benefited and 36 persons alone were left out. Since the relevant Government Order came into the effect only from 01.01.2021, the 36 persons who were left out cannot be considered unless they claim for parity with the 71 persons who were already been appointed under the 2% quota pursuant to G.O.Ms.No.21, dated 02.11.2011. Starting from the panel drawn from 01.01.2021, there will be no difficulty in implementing the 2% quota. G.O.Ms.No.261, dated 09.12.2024, has been issued and it provides for the qualification to come under the 2% quota.

10.The learned Advocate General further submitted that like in the case of B.T. Assistant, even here, year wise panel for granting promotion will affect many seniors and therefore, bulk appointment will be made under 2% quota based on the seniority.



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11.The learned Advocate General concluded his arguments by submitting that the effect of allowing these review applications will only result in an alteration of numbers and the crux of the order will remain intact. It was further submitted that clarity is required with respect to the direction given by this Court for year wise panel.

12.Insofar as Review Application No.170 of 2025 is concerned, the learned Senior Counsel appearing for the review applicant submitted that the post of Typist has always been considered on par with Junior Assistant. To substantiate the same, the learned Senior Counsel pointed out to G.O.Ms.No.50, dated 14.02.1995. The learned Senior Counsel also brought to the notice of this Court, G.O.Ms.No.175, dated 19.07.2007, which did not speak about the post of Typists, and contended that it has to be read along with the G.O.Ms.No.21, dated 02.11.2011, which made it clear that Junior Assistants also includes Typists. The learned Senior Counsel also pointed out to the proceedings of the Joint Director of School Education, dated 22.11.2010, where it was mentioned that Typist will also be entitled for being appointed as B.T. Assistant.



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13.The learned counsel for the writ petitioner submitted that the review applicants in the guise of arguing the review applications are attempting to reargue the entire case. It was further contended that all the grounds that were raised in the review applications were considered by this Court while disposing of the writ petition and there is no error apparent on the face of the order. Therefore, it was contended that there are absolutely no merits in the review applications. It was further argued that the review applications have been filed only as against one writ petition and whereas, the order pertained to a batch of writ petitions. Therefore, since no review application has been filed insofar as those writ petitions are concerned, the order passed in these review applications will not have any bearing against the petitioners in those writ petitions.

14.This Court has carefully considered the submissions made on either side and also the materials available on record.



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15.This Court must first remind itself of the scope of a review application. The Madras High Court Writ Rules, 2021, provides for the scope of the review under Rule 29. It is made clear that no petition for review will be entertained except on the grounds mentioned in order XLVII Rule 1 of C.P.C. It was also made clear that a review application is not maintainable as against an order which has already been passed in the previous review application.

16.It will also be relevant to take note of the judgement of the Apex Court in *Yashwant Sinha and Others vs. Central Bureau of Investigation and Others* reported in *MANU/SC/1564/2019*. This judgement dealt with the entire length and breadth of the scope of a review petition. It was held that a review application will be maintainable only when there is discovery of new and important matter of evidence which after the exercise of due diligence, was not within the knowledge of the petitioner or could not be produced by him. The other ground on which the review application is maintainable is where there is a



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mistake or error apparent on the face of the record. Insofar as entertaining an application on the ground of sufficient reasons, it was held that the said term will mean a reason sufficient on grounds analogous to those specified in the Rules. It was also made clear that review proceedings cannot be equated with the original hearing of the case and it is by no means an appeal in disguise. Even insofar as an error apparent on the face of the record, it should not be an error which has to be fished out or searched for. It was made abundantly clear that repetition of old and overruled arguments cannot be reopened in a review application.

17. Insofar as all the Government Orders which were relied upon by the learned Advocate General seeking for the review of the order passed in a writ petition, it is seen that all those Government Orders were duly taken into consideration while passing the common judgements in the writ petitions. In fact, all the grounds that have been raised in these review applications were raised in the counter affidavit filed in the writ petitions and only after



considering the same, the common judgement was passed in the writ petitions.

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It is quite unfortunate that the respondents who had earlier given instructions to the learned Advocate General based on which the submissions were made by the learned Advocate General and which has also been recorded by this Court while disposing of the writ petitions, now want the learned Advocate General to come up with a different theory on the scope of the very same Government Orders which were considered at the time of disposing the writ petitions. The respondents, in fact, are putting the learned Advocate General in a tight spot, since the submissions were made by the learned Advocate General in the writ petitions only based on the specific instructions received from the respondents. In fact, at Paragraph No.22 of the judgement, this Court appreciated the fair submissions made by the learned Advocate General which sufficiently took care of the grievances expressed by the writ petitioners.

18.In view of the above, this Court cannot once again go into the scope of the very same Government Orders and come up with a different finding and the same will be beyond the scope of review jurisdiction. These review applications



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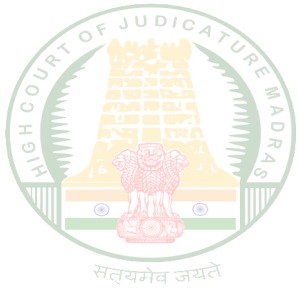
have been filed to virtually reopen those arguments/stand taken in the counter affidavit, which were considered by this Court when the common judgement was passed. Hence, the attempt made by the review applicants in Review Application Nos.171 and 172 of 2025 is nothing but an appeal in disguise where they are wanting this Court to rehear the matter. In short, the respondents are now giving a different view on the scope of the Government Orders. Just because another view is possible, that does not become a ground for reviewing the judgement passed in the writ petitions.

19.The judgement was passed in a batch of writ petitions and whereas, the review application has been filed by the Government only in relation to one writ petition viz., W.P.No.9011 of 2022. This would mean that the orders that will equally apply to other writ petitions have not been questioned. By filing one review application, the respondents cannot seek for review of the order passed in a batch of writ petitions even though, a common judgement was passed in those writ petitions. This is yet another ground as to why Review Application Nos.171 and 172 of 2025, are liable to be dismissed by this Court.



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20.Insofar as Review Application No.170 of 2025 is concerned, the fact that Typists was considered on par with Junior Assistants will not help the review applicants, since the relevant Government Order in G.O.Ms.No.7, dated 20.01.2020 and G.O.Ms.No.13, dated 30.01.2020, only deals with Superintendents, Assistants and Junior Assistants and consciously, the post of Typists has been omitted. It must also be kept in mind that those Government Orders were issued under Article 309 of the Constitution of India. Therefore, unless and otherwise, those Government Orders are specifically questioned on the ground that the post of Typists was considered on par with post of Junior Assistants for a long period of time and in spite of the same, the post of Typists has not been included in the 2% quota for B.T. Assistants, the same cannot be decided in a review application. Hence, liberty is granted to the review applicants to question the relevant Government Orders, if so advised, and to proceed further in accordance with law.



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21.In the result, all the review applications stand dismissed. No Costs.

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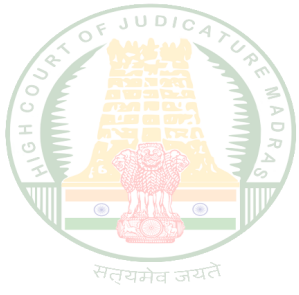
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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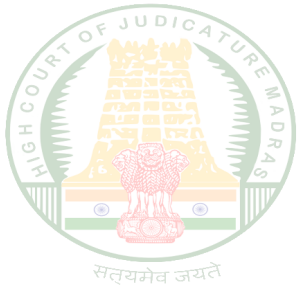
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1.The Principal Secretary to Government,
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School Education Department.
Fort St. George. Chennai -600 009.

2.The Commissioner of School Education,
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College Road, Chennai -600 006.

3.The Joint Director of School Education (Personnel),
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4.The Chairman,
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Rev.A.Nos.170, 171 & 172 of 2025

N.ANAND VENKATESH J.

SSR

Review Application Nos.170, 171 and 172 of 2025

15-07-2025