



W.A No. 2707 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 2707 of 2025

Hirudayaraj

..Appellant

Vs

1. The State of Tamil Nadu
rep by its Secretary to Government
School Education Department,
Fort St. George, Chennai-600009.

2.The Director of Teachers Education
Research and Training
D.P.I. Campus, College Road,
Chennai-600006.

3.The District Institute of Education and Training Institute,
Thirumurthy Nagar, Udumalpet,
Tiruppur District.

4. St. Marys Teacher Training Institute,



W.A No. 2707 of 2025

Rep by its Principal and Correspondent,

Karumathampatty,

Coimbatore.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order dated 05.07.2022 passed in W.P.No. 13922 of 2015.

For Appellant: Mr.D. Anand Raja

For Respondents : Mr. R.Neethiperumal, GA – R1 to R3

JUDGMENT

(Made by **HEMANT CHANDANGOUDAR, J.**)

This intra-Court appeal is directed against the order dated 05.07.2022 passed by the learned Single Judge in W.P. No. 13922 of 2015. By the said order, the learned Single Judge upheld the proceedings dated 04.11.2011, whereby the appointment of the writ petitioner was cancelled by the competent authority on account of non-approval.

2. The brief facts, as set out, are that the appellant/writ petitioner was appointed as a Junior Assistant in the fourth respondent–Institution on 01.04.2003, consequent upon the retirement of one Mr. K. Isidore. The said appointment, however, was not approved by the competent authority on the ground that the Government had imposed a ban on appointments, which



W.A No. 2707 of 2025

WEB COPY

continued to remain in force until 2006. The appellant/writ petitioner asserts that his appointment was subsequently approved on 17.03.2008, and that he was placed on the regular time scale of pay. Notwithstanding the same, his appointment came to be cancelled by order dated 04.11.2011. Aggrieved thereby, the appellant/writ petitioner approached this Court in W.P. No. 13922 of 2015. The learned Single Judge, by order dated 05.07.2022, dismissed the writ petition. Hence, the present writ appeal.

3. Learned counsel appearing for the appellant/writ petitioner contended that the order of cancellation was passed without affording the appellant any opportunity of hearing, thereby violating the principles of natural justice. It was urged that the impugned order passed by the third respondent is unsustainable in law, and consequently, the order of the learned Single Judge warrants interference.

4. Per contra, the learned State Counsel appearing for the respondents submitted that the approval granted to the appointment of the appellant/writ petitioner was cancelled by the Principal, District Institute of Education and Training, vide proceedings dated 12.01.2010. The said order of cancellation was never challenged by the appellant/writ petitioner and, therefore, it attained finality. It was further contended that the appellant/writ petitioner had accepted



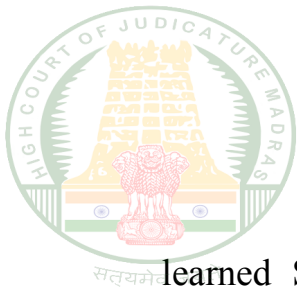
W.A No. 2707 of 2025

the said order, and in fact, he also accepted a re-appointment order in the year 2013 pursuant to the Government Order permitting the filling up of non-teaching vacancies in Government-aided schools. In such circumstances, it was submitted that the writ petition was not maintainable and that the learned Single Judge had rightly dismissed the same.

5. We have carefully considered the submissions made on either side and perused the materials placed on record.

6. It is an admitted position that the approval of the appointment of the appellant/writ petitioner was cancelled on 12.01.2010. The said order was never challenged by the appellant/writ petitioner at any point of time. On the contrary, he accepted the subsequent appointment order dated 02.05.2013 and served under the said appointment for a period of two years. Once the cancellation of the approval dated 12.01.2010 had attained finality, the appellant/writ petitioner cannot now seek regularisation of his services either from the date of his initial appointment in 2003 or from 2006, as contended. The appellant, having acquiesced in the cancellation of his earlier appointment and having accepted re-appointment, is estopped from questioning the validity of the earlier cancellation order at this belated stage.

7. In the above circumstances, we are of the considered view that the



W.A No. 2707 of 2025

WEB COPY

learned Single Judge, on a proper appreciation of the facts and the legal position, has rightly upheld the order of cancellation dated 04.11.2011. We do not find any illegality, infirmity, or perversity in the order impugned in this appeal.

8. In the result, the writ appeal fails and is accordingly dismissed. There shall be no order as to costs.

(R.S.K.,J)

(H.C., J)

15.09.2025

Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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W.A No. 2707 of 2025

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and
HEMANT CHANDANGOUDAR, J.,

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To

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