



W.P.Nos.41186 and 41190 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.41186 and 41190 of 2025
and
W.M.P.Nos.46124 and 46128 of 2025

Needamangalam Aided Higher Secondary School,
Needamangalam – 614404,
Thiruvarur District,
Represented by its Secretary,
K.Ramanatha Thulasiayya Vandayar ... Petitioner in both W.Ps

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.
2. The Director of School Education,
O/o. The Director of School Education,
DPI Campus,
Chennai.
3. The Chief Educational Officer,
O/o. The Chief Educational Office,
Thiruvarur,
Thiruvarur District.



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4. The District Educational Officer (Secondary),
O/o. The District Educational Office (Secondary),
Thiruvarur,
Thiruvarur District.

... Respondents in both W.Ps

Common Prayer:- Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders passed by the fourth respondent vide his proceedings in O.Mu.No.5694/A3/2025 dated 01.08.2025 and proceedings in O.Mu.No.5690/A3/2025 dated 01.08.2025 and quash the same as illegal and consequently direct the respondents to accord prior permission to fill up the posts of Night Watchman and Office Assistant in the petitioner's school within the period that may be stipulated by this Court.

For Petitioner
in both W.Ps : Mr.I.Calvin Jones

For Respondents
in both W.Ps : Mrs.S.Mythreye Chandru,
Special Government Pleader



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COMMON ORDER

These Writ Petitions have been filed challenging the orders dated 01.08.2025, thereby rejecting the request made by the petitioner to fill up the posts of Night Watchman and Office Assistant.

2. Both the Writ Petitions filed by the same school challenging the order of rejection rejecting the request made by the petitioner seeking permission to fill up the post of Night Watchman and Office Assistant in the petitioner/School. Therefore, this Court passed a common order in both the Writ Petitions.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. The petitioner/School is a non minority Private Aided Institution and is governed by the Tamil Nadu Private School Regulation Act. While being so, one Night Watchman passed away and in that vacancy, the petitioner intended to fill up the said post and sought permission.



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However, it was rejected for the reason that this issue is now sub judiced by the Hon'ble Division Bench of this Court and subject to the result of the appeal, the request made by the petitioner will be considered. Insofar as the post of Office Assistant in which the petitioner/school is concerned, the incumbent retired as early as on 31.07.2009. In order to fill up the said post, the petitioner submitted proposal in the year 2025, it was also rejected on the very same ground.

5. The learned Special Government Pleader appearing for the respondents, on instructions, states that the request made by the petitioner cannot be considered ,not only for the reason that the Writ appeal is pending before the Hon'ble Division Bench of Madurai Bench of this Court, as per the G.O.Ms.No.19, School Education(pa.ka51) Department dated 27.01.2025, whenever the post of Night Watchman and Office Assistant came to vacant, it has to be surrendered and it cannot filled up. That apart, the petitioner sent a proposal to fill up the vacancy post of Office Assistant, which was arose in the year 2009.



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6. In view of the above, this Court finds no infirmity or illegality in the orders passed by the fourth respondent and both the Writ Petitions are devoid of merits and liable to be dismissed. Accordingly, both the Writ Petitions are dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

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Index:Yes/No
Neutral Citation/Yes/No
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G.K.ILANTHIRAIYAN, J.

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