



W.P.No.46902 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.46902 of 2025

M.Narayana Kumar

... Petitioner

Vs.

- 1.The District Collector,
Tiruvannamalai District.
- 2.The Secretary to Government,
Department for the Welfare of Schedule Caste
and Schedule Tribes,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.
- 3.The Commissioner,
Commission for the Welfare of Schedule Caste
and Schedule Tribes, Chennai.
- 4.The Director,
Department for the Welfare of Schedule Caste
and Schedule Tribes,
Government of Tamil Nadu, Chepauk,
Chennai – 600 005.
- 5.The District Welfare Officer for Schedule Caste
and Schedule Tribes,
Thiruvannamalai District.



W.P.No.46902 of 2025

6.The Special Tahsildhar,
The Commission for the Welfare of
Schedule Caste and Schedule Tribes,
Thiruvannamalai District.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to order passed in Na.Ka.No.Pa.Mey/A1.045/2025 dated 08.05.2025 issued by the 6th respondent thereby, rejecting the claim of the petitioner and quash the same and consequently directing the 1 and 2 respondents to consider the petitioner's service way back from the year of 2001 as cook and promote and transfer him to the post of warden, Junior Assistant or any other similar cadre in concurrence with the petitioner's date of appointment with full service benefits and all other attendant benefits considering the petitioner's educational qualification.

For Petitioner : Mr.T.K.S.Gandhi

For Respondents : Mr.P.Dhandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order dated 08.05.2025 passed by the 6th respondent, rejecting the claim of the



W.P.No.46902 of 2025

petitioner and quash the same and consequently directing the 1st and 2nd

respondents to consider the petitioner's service way back from the year of 2001 as cook and promote and transfer him to the post of Warden, Junior Assistant or any other similar cadre in concurrence with the petitioner's date of appointment with full service benefits and all other attendant benefits considering the petitioner's educational qualification.

2. By consent of learned counsel on either side, this Writ Petition is taken up for disposal at the admission stage.

3. The learned counsel for the petitioner would submit that the petitioner was appointed as a Cook in the year 2001 on compassionate appointment at the Government Schedule Tribes School and Hostel for Primary Education at Kilpaliyapattu, Pollur Taluk, Tiruvannamalai District. The petitioner was presently working in GTRB School, Palamarutur, Jamuna Malatur Taluk, Tiruvannamalai District with the same designation as Cook, till date. It is the grievance of the petitioner that even after 24 years of service as Cook, the petitioner was not given any promotion.



W.P.No.46902 of 2025

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4. The petitioner initially joined with qualification of 10th Standard thereafter, completed higher secondary again, completed degree and B.Ed., continuously. Upon completion of the same, the petitioner made a representation on 12.05.2016 to promote him to the post of Teacher in any of the schools and the same was declined several times as if the petitioner not completed TET examination. Again, the petitioner made a representation to promote him to the post of Warden and the same was not considered hence, the petitioner filed a writ petition in W.P.No.33126 of 2024 and this Court, by its order dated 13.11.2024 issued a direction to the respondents to consider representation and pass appropriate orders, pursuant to which, the present impugned order was passed. Challenging the same, the present writ petition is filed.

5. The learned counsel for the petitioner would submit that though the petitioner has been working as a Cook for the past 24 years, in the meanwhile, he completed all higher secondary qualifications including B.Ed therefore, the petitioner is entitled to be appointed as Warden in any of the



W.P.No.46902 of 2025

schools or equivalent to the post of Teacher but, the same was not considered by the respondents is not sustainable one. He would further submit that the TET qualification is not required for the post of Warden and degree examination is sufficient, even then, the respondent refused to appoint the petitioner as Warden it not acceptable one. Accordingly, he prayed for appropriate orders.

6. Per contra, the learned counsel for the respondent would submit that the Warden and Teacher posts are equivalent posts for the said Department and the same is inter-transferable. However, the petitioner has been working as a Cook, though he acquired a higher qualification during his tenure, there is no vacancy in the posts of Warden and, the petitioner cannot be appointed as Teacher unless the petitioner completed TET qualification as mandatory requirement under the Right to Education Act and thereby, the petitioner not able to appointed as either Warden or Teacher.

7. In response, learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to appoint the



W.P.No.46902 of 2025

petitioner as Junior Assistant or any equivalent post, for which, learned

Government Pleader appearing for the respondents would submit that unless the petitioner established before this Court that the Cook post is a feeder category for the Junior Assistant, the same cannot be done and he would further submit that the promotion post for the category of Cook is Watchman and his seniority number is at 12, as soon as he reaches the seniority, he will be promoted as a Watchman and thereafter, as Office Assistant as these are avenue of promotion available to the petitioner.

8. In the present, the petitioner has not possessed the qualification of TET for the post of Teacher and as stated by the learned counsel for the respondents, unless the petitioner established before this Court that the Cook post the Junior Assistant for the feeder category, the same cannot be done. In the present case, the Cook post is not a feeder category for the Junior Assistant. Hence, the prayer sought for by the petitioner cannot be granted.



W.P.No.46902 of 2025

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9. In view of the above discussion, this Writ Petition is dismissed. No costs.

05.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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W.P.No.46902 of 2025

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WEB COPY

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WEB COPY



W.P.No.46902 of 2025

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W.P.No.46902 of 2025

05.12.2025