



W.P.(MD) No.1205 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
06.11.2025	19.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.1205 of 2024

and W.M.P.(MD) No.1215 & 1216 of 2024

K.Saran Santhanaraj

... Petitioner

-VS-

- 1.The Government of Tamil Nadu,
Represented by its Additional Principal Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
- 2.The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The Chief Educational Officer,
The Office of the Chief Educational Officer,
Thanjavur District – 613 001.



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4.District Educational Officer,
The Office of the District Educational Officer,
Kumbakonam, Thanjavur District.

5.The Correspondent,
Sinna Rani High School,
Alamelupuram Poondi,
Thirukattupalli (via)
Thanjavur – 613 105.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of a Writ, Calling for the record pertaining to the impugned proceedings, dated 15.11.2023 in O.Mu.No.7072/A5/2023, on the file of the fourth respondent and quash the same, in respect of the petitioner Mr.K.saran Santhanaraj, working as BT Assistant (English) teacher in Sinna Rani High School, Alamelupuram Poondi, Thirukkattupalli (via) Thanjavur – 613 105, w.e.f., 05.07.2023 and release salary with all service and monetary benefits and pass such further or other suitable order.

For Petitioner : Mr. FR.S.Savarimuthu

For Respondents : Mr.N.Satheesh Kumar



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Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging the impugned proceedings, dated 15.11.2023 in O.Mu.No.7072/A5/2023, on the file of the fourth respondent and quash the same, in respect of the petitioner Mr.K.saran Santhanaraj, working as BT Assistant (English) teacher in Sinna Rani High School, Alamelpuram Poondi, Thirukkattupalli (via) Thanjavur – 613 105, w.e.f., 05.07.2023 and release salary with all service and monetary benefits.

2. Heard Mr.FR.S.Savarimuthu the learned counsel appearing on behalf of the petitioner and Mr.N.Satheesh Kumar the learned Additional Government Pleader appearing on behalf of the respondents.

3. Mr.FR.S.Savarimuthu the learned counsel for the petitioner would submit that the petitioner was appointed as BT Assistant (English) in the fifth respondent school on 05.07.2023 in a vacancy that arose due to the resignation of an incumbent on 07.10.2021. He would submit that the post to which the



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petitioner was appointed was a sanctioned post. Relying upon the staff fixation order of the year 2022-2023, he would submit that there are no surplus teachers in the fifth respondent school. He would further submit that in the interest of the students who are left without a BT Assistant (English) teacher, the approval ought to have been granted. But on the other hand, under the orders impugned herein, the second respondent herein had returned the proposal calling upon the fifth respondent to produce the certificate of the Chief Educational Officers of Districts where the schools of the joint/ corporate management of which the fifth respondent school is a part of indicating that there are surplus teachers in the corporate management, to consider the claim for approval.

4. He would submit that there are no surplus in the fifth respondent school as regards to BT Assistant (English) teachers even as per the sanction order of the academic year 2023-2024 which would be applicable for the appointment of the petitioner. When that being so, he would submit that the approval ought to be granted for appointment of the petitioner as BT Assistant (English) teacher in the fifth respondent school and therefore, seeks indulgence of this Court to order



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impugned herein.

5. Countering his arguments, Mr.Satheesh Kumar learned Additional Government Pleader would submit that even if the judgment of the Hon'ble Division Bench of this Court in W.A.(MD).No.76 of 2019 and etc., batch is to be applied prospectively then it is incumbent upon the corporate management to only deploy the teachers who have been found surplus within its corporate management to a needy school. He would submit that under the impugned order, the fifth respondent management has been directed to get a certificate of the concerned Chief Educational Officers of the Districts where other schools of the joint/corporate management of which the fifth respondent school is a part of, to be produced to take a decision on the proposal sent by the fifth respondent. The fifth respondent had not challenged the said order and the petitioner is before this Court.

6. He would further submit that it is not the case of the petitioner as to that, there are no surplus teacher for BT Assistant (English) in the schools of the joint/



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it is for the school to make its appointment.

9. In the present case, the proposal that had been submitted by the fifth respondent school for the appointment of the petitioner had been returned calling upon the fifth respondent management to produce the certificate of the Chief Educational Officer of the Districts where the schools of the joint/corporate management of which the fifth respondent is a part of, evidencing that there are no surplus teachers. Such return in the considered view of this Court cannot be said to be arbitrary or contrary to the Provisions of the Tamil Nadu Private Schools (Regulation) Act or Rules made therein or in violation of judgment of this Court in W.A.(MD).No.76 of 2019 and etc., batch.

10. For the aforesaid reasons, this Court do not find any merits in the Writ Petition and accordingly, the same stands dismissed. However, there shall be a direction to the fifth respondent to comply with the directions issued by the third respondent in the impugned communication within a period of four (4) weeks and



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resubmit the proposal along with the required documents sought for in the impugned order. On submission of such proposal in compliance with the order dated 15.11.2023, the third respondent shall consider the proposal of the fifth respondent with regard to the appointment of the petitioner as BT Assistant (English) and pass orders within a period of four (4) weeks therein. However, there shall be no order as to costs. Consequently, connected miscellaneous petition are also closed.

19.12.2025
(1/3)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Gba



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To:

- 1.The Government of Tamil Nadu,
Represented by its Additional Principal Secretary,
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K.KUMARESH BABU, J.

Gba

PRE-DELIVERY ORDER

IN

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and

W.M.P.(MD) No.1215 & 1216 of 2024

19.12.2025

(1/3)