



W.A.(MD) No.276 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.A.(MD) No.276 of 2020
and
C.M.P.(MD) No.1968 of 2020**

- 1.The Director of School Education
DPI Campus, College Road
Chennai-6
 - 2.The Chief Educational Officer
Ramanathapuram District
Ramanathapuram
 - 3.The District Educational Officer
Mandapam Educational District
Mandapam, Ramanathapuram District
 - 4.The Head Master
Government Higher Secondary School
Kannirajapuram, Ramanathapuram District
- ... Appellants

-vs-

M.Sivagami

... Respondent



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Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 26.11.2019, passed in W.P.(MD) No.24363 of 2019, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Ms.D.Meenalochini
for Mr.K.Gokul

J U D G M E N T

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The State has preferred the present writ appeal mainly on the ground that extension of service was declined to the respondent on the ground that surplus teachers are working in the same district.

2. Extension of service period is a concession and it cannot be claimed as an absolute right by the teachers. Admittedly, the respondent was allowed to retire from service on attaining her age of superannuation on 31.07.2019 and she was relieved from service. Her application seeking extension of service period was rejected by the authority concerned on the ground that surplus teachers are working in the same district and those



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teachers may be accommodated in the vacant post in order to ensure that imparting of education to the children is not affected. Extension of service period being a Scheme implemented by the Government for the benefit of the students, the terms and conditions in this regard are to be followed scrupulously and therefore, the respondent cannot claim extension of service period as a matter of right. The Writ Court has not considered the scope of the Scheme and the terms and conditions stipulated in the relevant Government Orders. Therefore, the writ order is liable to be set aside.

3. Accordingly, this writ appeal is allowed and the writ order dated 26.11.2019, passed in W.P.(MD) No.24363 of 2019, is set aside. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[A.D.M.C., J.]

23.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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