



W.A(MD)No.435 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

W.A(MD)No.435 of 2020

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Director of School Education Department,
D.P.I.Campus, College Road,
Chennai.
- 3.The Joint Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
- 4.The Chief Educational Officer,
O/o.The Chief Education Officer,
Tiruchirappalli, Tiruchirappalli District.

... Appellants/
Respondents 1 to 4

Vs

- 1.M.Chinnappakumaran
- 2.R.Mohan
- 3.A.Robert Denis
- 4.N.Kumaresan
- 5.V.Kalidas
- 6.P.Kathirvel



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7.C.Vinoth
8.G.Senguttuvan
9.V.Manikandarajavarma
10.J.Rama
11.K.Kamatchinathan
12.S.Kanakavalli
13.S.Punitha
14.S.Anuradha
15.V.Geetha
16.C.Senthilkumar
17.T.Sivashanmugam
18.N.Anbuthasan

... Respondents/
Writ Petitioners

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 23.01.2020 made in W.P(MD)No.1215 of 2020 and allow this writ appeal.

For Appellants : Mr.T.Amjad Khan
Government Advocate
For Respondents : No appearance

JUDGMENT

(Judgment of the Court was made by C.V.KARTHIKEYAN,J.)

The present writ appeal has been preferred by the State challenging the order of the Writ Court in W.P(MD)No.1215 of 2020, dated 23.01.2020, wherein, the Writ Court has issued a direction to the authorities to regularise the services of the petitioners' therein from the date of their initial appointment with monetary benefits and



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consequently, directing the respondents to provide seniority and include their names in the panel for the post of PG Assistant Teacher.

2. The writ petitioners were initially appointed as contract Teachers in the academic year 2003-2004 as Junior Grade Teachers. Their services were regularised under G.O (Ms) No.99, School Education Department, dated 27.06.2006 with effect from 01.06.2006. As per the said Government Order, their services are regularised only with effect from 01.06.2006. Without challenging the said Government Order, the writ petitioners have preferred the above writ petition seeking mandamus to regularise their services with effect from the date of their initial appointment and to pay the monetary benefits.

3. The writ petition came to be allowed by the Writ Court on 23.01.2020 following the orders passed in W.P(MD)No.21467 & 24640 of 2019, dated 09.12.2019.

4. The present writ appeal has been preferred by the State challenging the said order primarily on the ground that the order which was relied on by the Writ Court was challenged in W.A(MD)No.299 of



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2021 batch cases and the writ appeals were allowed by the Division Bench on 01.06.2021. According to the learned Government Advocate, the writ petitioners are similarly placed persons and therefore, the order of the writ Court is liable to be set aside.

5. The writ petitioners herein, who are arrayed as respondents in the writ appeal, were issued with notice and they were also served through the Departments, in which they are working. Thus services have been completed and names were printed in the cause list. They have neither chosen to appear in person or engage a counsel.

6. The Division Bench of this Court in the writ appeals in W.A(MD)Nos.299 of 2021 batch, dated 01.06.2021 in paragraph 59 & 60 has held as follows:-

"59. That apart, the belated attempt made by the respondents / writ petitioners is liable to be rejected for several reasons. Firstly, they are estopped from contending contrary to the Government Orders, contrary to the terms and conditions of the Government Orders and contrary to the conditions contained in the agreement to which they have agreed. Secondly, the challenge to the policy decision to downgrade the post



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to that of the Junior Grade Teacher was rejected and the decision of the Government has been upheld. The request made by some of the teachers to reckon the period of service prior to 01.06.2006 was directed to be considered by the Director of School Education pursuant to an order passed in a Writ Petition. The representation was considered and rejected and the same has not been challenged and after lapse of nearly fourteen years, suddenly the respondents / writ petitions have come up with this fanciful claim, which is absolutely untenable and unsustainable in law.

60. The present attempt of the respondents / writ petitioners is to march over the regularly promoted PG Assistants, who are only 62 number; whereas the Junior Grade Teachers, like the respondents / writ petitioners are more than 3000. Thus, the relief sought for by the respondents / writ petitioners is misconceived and liable to be rejected and accordingly, rejected."

7. The writ petitioners herein, who are arrayed as respondents in the writ appeal, are similarly placed persons. They have also not challenged their order of appointment or the agreement which they entered while joining service. They have also not chosen to challenge the Government Order, in which, their services were regularised.



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8. In such circumstances, a mandamus cannot be issued providing seniority from the date of their initial appointment. The order of the Division Bench in W.A.(MD)Nos.299 of 2021 back cases dated 01.06.2021 is squarely applicable to the facts of the present case.

9. In view of the above said deliberations, the order of the writ Court made in W.P.(MD)No.1215 of 2020 is set aside and the writ appeal stands allowed. No costs.

(C.V.K., J.) (R.V., J.)
14.10.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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and
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ORDER MADE IN
W.A(MD)No.435 of 2020

14.10.2025