



WP(MD). No.7626 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/11/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.7626 of 2025

and

WMP(MD). No.5771 of 2025

S.Sebasteen Suganya,

... Petitioner

Vs

1. The District Educational Officer (Elementary),
Pudukottai,
Pudukottai District.

2. The Block Educational Officer,
Annavasal,
Pudukottai District.

3. The Correspondent,
Punitha Arokia Annai Primary School,
Annai Nagar,
Pulvayal Post,
Pudukottai District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court may be pleased to issue a WRIT OF CERITORARIFIED MANDAMUS, or any appropriate Writ or Order or Direction in the nature of Writ, calling for the records pertaining to the order passed by the 2nd respondent in his proceedings Na.Ka.No. 407/A4/2022 dated 30.07.2024 and QUASH the same and direct the



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respondents to approve the appointment of the petitioner as Secondary Grade Teacher from the date of appointment i.e., 01.08.2019 with salary and all other consequential benefits.

For Petitioner : Mr. V.Panneer Selvam

For Respondents : Mr. N.Satheesh Kumar for R1 and R2
Additional Government Pleader

Mr.G.Anto Prince (for R3)

ORDER

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus, or any appropriate Writ or Order or Direction in the nature of Writ, calling for the records pertaining to the order passed by the second respondent in his proceedings Na.Ka.No. 407/A4/2022 dated 30.07.2024 and quash the same and direct the respondents to approve the appointment of the petitioner as Secondary Grade Teacher from the date of appointment i.e., 01.08.2019 with salary and all other consequential benefits.

2. The case of the petitioner is that the petitioner having qualified with TET was appointed as Secondary Grade Teacher on 01.08.2019 in a



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permanent sanctioned vacancy which arose in the third respondent school, in view of the promotion of the incumbent as a Headmaster. He would contend that the third respondent school is only a two teachers school. Originally, the approval was rejected quoting G.O.Ms.No.165 dated 17.09.2019 and the interim order granted by the Hon'ble Division Bench of this Court in W.A(MD)No.76 of 2019 dated 09.04.2019. Challenging the same, the petitioner had preferred a Writ Petition in W.P(MD)No.11913 of 2021 and the same was allowed. Thereafter, the department had preferred an intra Court appeal in WA(MD)No.575 of 2022 which was also allowed setting aside the writ petition order and also the second respondent proceedings dated 29.06.2021 and remitted the matter back to this Court. Again, the respondent rejected the approval proposal on the ground that the third respondent school had not produced the minority status certificate. He would contend that the petitioner is a recognized minority aided school and the same is also mentioned in the staff fixation order itself. Another reason stated in the order is that the school had been transferred from the diocese of Thanjavur Society to the Society of Daughter of Mary Immaculate and Collaborators and therefore, the approval order has to be enclosed in the



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surplus of the corporate management. He would submit that the petitioner having been appointed as early as in the year 2019, the issue of corporate management cannot be put against the petitioner as held in WA(MD)No.76 of 2019 etc batch, which has been held to be only prospective. Hence he prays this Court to set aside the order passed in the writ petition and direct the respondents to grant approval to the petitioner.

3. Countering his argument, learned Additional Government Pleader would submit that the respondent School had not attached the minority certificate issued in its favour and the approval of change of management has also not been annexed. It is further submitted that the total strength of the school is less than 40 and that there also district surplus teachers in the post of Secondary Grade in the said educational district. Hence, the claim of the petitioner cannot be considered and prays this Court to dismiss the writ petition.

4. I have considered the submissions of the learned counsel on either side.



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5. There is no dispute that the school is managed only by two teachers and it is a minority school, as even in the staff fixation order as contended by the petitioner, the school is shown only to be a minority institution. Hence the judgment of the Hon'ble Division Bench of this Court in W.A(MD)No.76 of 2019 cannot be made applicable. For the aforesaid reasons, this Court is of the view that the impugned order would have to be set aside and necessary direction is to be issued to the respondent to approve the appointment of the petitioner.

6. In fine, this writ petition is allowed and the impugned order is set aside. The respondents are directed to grant approval to the appointment of the petitioner in the Secondary Grade Teacher with effect from the date of her initial appointment namely 01.08.2019. No costs. Consequently, connected miscellaneous petition stands closed.

17.11.2025

NCC : yes / no
Index : yes / no
Internet : yes / no

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K.KUMARESH BABU, J

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To

1. The District Educational Officer (Elementary),
Pudukottai,
Pudukottai District.
2. The Block Educational Officer,
Annavaasal,
Pudukottai District.

ORDER
IN
WP(MD) No.7626 of 2025

Date : 17/11/2025