



W.P.(MD) No.6265 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)No.6265 of 2025
and WMP(MD)Nos.4614,4615 and 4618 of 2025

U.Chithra

... Petitioner

Vs.

1. The State of Tamil Nadu
Represented by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.

2. The Director of School Education,
College Road, Chennai - 600 009.

3. The Chief Educational Officer,
Nagercoil,
Kanyakumari District.

4. The District Educational Officer, (Secondary Education),
Marthandam,
Kanyakumari District.

5. Correspondent,
Higher Secondary School,
Kalluppalam,
Edaicode - 620 152,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India,



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praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by the 3rd respondent Chief Educational Officer in Ni.Mu. No.1252/A4/2024 dated 28.10.2024 quash the same in so far as the conditions mentioned therein and further direct the respondents 3 to 4 herein to disburse the grant-in-aid towards the salary along with arrears of salary and other allowance of petitioner as PG Assistant Malayalam in the 5th respondent school namely, Higher Secondary School, Kalluppalam w.e.f. 13.06.2022.

For Petitioners	: M/s.A.Amala
For R1 to R4	: Mr.M.Siddharthan Additional Government Pleader
For R5	: Mr.Jerin Mathew

ORDER

This Writ Petition has been filed to quash the impugned proceeding issued by the third respondent dated 28.10.2024 so far as the conditions mentioned therein and for consequential direction to the respondents 3 to 4 herein to disburse the grant-in-aid towards the salary along with arrears of salary and other allowance of petitioner as PG Assistant Malayalam in the 5th respondent school with effect from 13.06.2022.

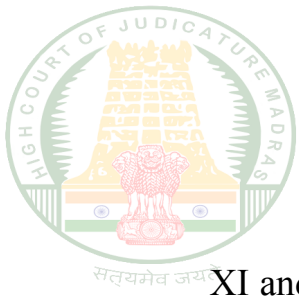


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2. Heard the learned counsel for the petitioner and Mr.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 4 and Mr.Jerin Mathew, learned counsel appearing for the fifth respondent and perused the materials available on record.

3. The case of the petitioner is that she is working as P.G Assistant in Malayalam in the fifth respondent School. She was appointed by the fifth respondent in the said post on 13.06.2022. Thereafter, the fifth respondent school submitted a proposal to the fourth respondent to approve the appointment of the petitioner and to disburse the grant-in-aid towards her salary. The third respondent returned the proposal vide letter dated 13.10.2023 directing to re-submit the proposal along with the valuation of SSLC qualification certificate as the petitioner had studied her SSLC in the State of Kerala. The fifth respondent school re-submitted the proposal stating that the petitioner had studied S.S.L.C qualification in the State of Kerala and later she studied XI and XII Standard in Sree Devi Girls Higher Secondar School, Kollemcode, Marthandam in Tamil Nadu. The District Educational Officer, after evaluating the S.S.L.C certificate obtained in the State of Kerala had admitted her for Standard

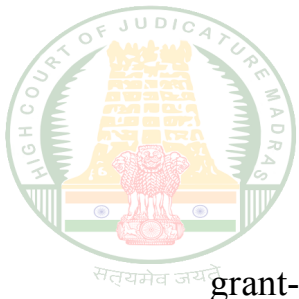


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XI and allowed her to write XII standard public examinations and hence, there is no necessity once again to evaluate the S.S.L.C certificate acquired by the petitioner in the State of Kerala. Satisfying with the explanations submitted by the fifth respondent, the fourth respondent forwarded the proposal to the third respondent. The third respondent approved the appointment of the petitioner with effect from 13.06.2022 vide proceedings dated 28.10.2024 by imposing a condition that the grant-in-aid would be sanctioned after evaluation of the S.S.L.C certificate. Again, the fifth respondent vide letter No.268/2022 dated ... 11.2024 clarified the fourth respondent by reiterating the same explanation submitted earlier. But no orders are passed by the respondents till now. Aggrieved by the same, the present writ petition is filed.

4. Mr.Siddharthan, learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submits that either the petitioner has to submit the evaluation certificate or the Education Department has to evaluate the same. Basing on evaluation report. thereafter, the respondents 1 to 4 will take further action to sanction



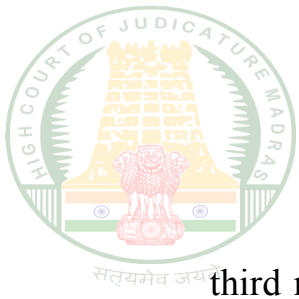
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grant-in-aid towards the salary of the petitioner.

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5. Considering the submissions of the respective counsels, in our considered view, the issue involved in this case is very limited. The petitioner is contending that at the time of her admission into standard XI in Sree Devi Girls Higher Secondar School, Kollemcode, Marthandam, and allowed to write XII standard public examination after evaluation of her S.S.L.C certificate by the District Educational Officer. As such, there is no necessity for evaluation of the same at present. But, on the other hand, the learned Additional Government Pleader submits that evaluation of S.S.L.C certificate by the District Educational Officer at the relevant point of time is not on record. As such, if the petitioner is able to produce the same, they will consider it for grant-in-aid. Alternatively, the learned Additional Government Pleader submits that they will evaluate S.S.L.C certificate of the petitioner for that purpose.

6. Considering their submissions, it appears that instead of insisting the petitioner to produce that evaluation certificate, which may not be available to the petitioner at present, it is appropriate to allow the



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third respondent to evaluate the S.S.L.C certificate of the petitioner and to take further action on the proposal sent by the fifth respondent school to meet the ends of justice.

7. Accordingly, this writ petition is disposed of with the following directions:

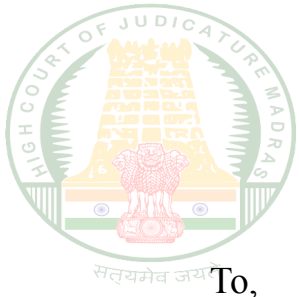
- i) The third respondent shall take steps to evaluate the S.S.L.C certificate of the petitioner within a period of four weeks;
- ii) After evaluation, if the evaluation certificate is in favour of the petitioner, then, the third respondent shall pass appropriate orders to disburse the grant-in-aid considering the proposal of the fifth respondent School within a period of two weeks thereafter.

There shall be no order as to costs.

Consequently, connected miscellaneous petitions are closed.

21.03.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
CM



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To,

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BATTU DEVANAND, J.

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