



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON :	06.11.2025
PRONOUNCED ON :	19.12.2025

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.6896 of 2025

and WMP.(MD).Nos.5177 & 5178 of 2025

M.Regina

..Petitioner

Vs

- 1.The Chief Educational Officer,
Tirunelveli, Tirunelveli District.
- 2.The District Educational Officer(Secondary)
Tirunelveli, Tirunelveli District.
- 3.The Correspondent,
Schaffter Higher Secondary School,
Tirunelveli, Tirunelveli District.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in O.Mu.No.3917/A1/2020 dated 01.03.2021 of the 2nd respondent herein and quash the same and consequently direct the



respondents 1 and 2 herein to approve the appointment of the petitioner as a BT Assistant (Maths) w.e.f 01.11.2018 with all other attended benefits.

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For Petitioner : Mr.Pon Ramkumar

For Respondents : Mr.N.Satheeshkumar

Additional Government Pleader

ORDER

The present writ petition has been filed, seeking a Writ of Certiorarified Mandamus, to quash the impugned order in O.Mu.No.3917/A1/2020 dated 01.03.2021 of the 2nd respondent and consequently to direct the respondents 1 and 2 herein to approve the appointment of the petitioner as a BT Assistant (Maths) w.e.f 01.11.2018 with all other attended benefits.

2. Mr.Pon Ramkumar, learned counsel for the petitioner, would submit that the petitioner was appointed as a B.T. Assistant (Maths) on 01.11.2018 in a vacancy, which arose due to the transfer of the incumbent B.T. Assistant (Maths) working in the third respondent School. Originally, the proposal was returned. The administrators, who were administering the third respondent Institution had also indicated that the petitioner had been appointed only in a sanctioned vacancy and there was also no rival claim in the management with



regard to the appointment of the petitioner. However, without passing any orders thereafter, the same had been kept pending.

3. The learned counsel for the petitioner would further submit that the issue that arose in W.A.(MD) No.176 of 2019, wherein, by judgment dated 31.03.2021, the concept of corporate/joint management was envisaged. He would further submit that the order impugned herein is wholly unnecessary, as the petitioner had been validly appointed as a B.T. Assistant (Maths) in a sanctioned vacancy. Hence, he seeks the indulgence of this Court.

4. Countering the said arguments, Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents would submit that under the impugned order, as early as in the year 2021, the proposal seeking approval of the appointment of the petitioner had been returned, calling for a report from the Administrators, who were managing the third respondent School at the relevant point of time. Without submitting such No Objection Certificate through the third respondent, the petitioner cannot be benefited with an order of approval of the appointment.



5. The learned Additional Government Pleader would further submit that the Honourable Administrator has now been replaced by the newly elected Management and therefore the third respondent School should re-submit the proposal along with the required No Objection Certificate issued by the Honourable Administrators and other related documents for reconsideration. Even though the petitioner herself admitted that the No Objection Certificate had been given by the then Administrator, without seeking a mandamus to consider the proposal along with the said No Objection Certificate, the petitioner had now challenged the impugned order of the year 2021. He would further submit that the writ petition has become infructuous and the impugned order, even according to the petitioner, had been acted upon by the third respondent Management. Hence, he prays this Court to dismiss the writ petition.

6. I have considered the submissions made by the learned counsel appearing on either side and perused the materials available on record.

7. The challenge in the writ petition is to an order passed in the year 2021, calling upon the third respondent to produce the orders passed by the Honourable Administrators, who were then managing the TDTA management,



of which the third respondent School is a part. It is the claim of the petitioner that a No Objection Certificate had been issued by the then Administrators as early as on 03.04.2021.

8. A perusal of the No Objection Certificate given by the Administrator would also refer to the order impugned in this writ petition. When that being so, it has rightly pointed out by the learned Additional Government Pleader, the order impugned herein seems to have been acted upon by the issuance of a No Objection Certificate with regard to the appointment of the petitioner as a B.T.Assistant (Maths) in the third respondent School.

9. Even though the petitioner had pleaded that there has been a No Objection Certificate issued by the Administrator, it has not been indicated as to whether the third respondent has forwarded the said No Objection Certificate along with a fresh proposal seeking approval of the appointment of the petitioner as B.T. Assistant (Maths).

10. Under such circumstances, the writ petition stands disposed of with a direction to the third respondent to forthwith re-submit the proposal, seeking approval of appointment of the petitioner as B.T. Assistant (Maths), along with



the relevant documents issued by the then Administrators. On receipt of such proposal from the third respondent, the first respondent is directed to consider the same and pass appropriate orders within a period of four(4) weeks from the date of receipt of the revised proposal from the third respondent.

11. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.12.2025

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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K.KUMARESH BABU, J.

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