



W.P.(MD)No.8312 of 2020

WEB COPY

DATED: 17.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.8312 of 2020

and

W.M.P.(MD)Nos.7708 & 7711 of 2020

The Correspondent,

Dudley Higher Secondary School,

Dindigul – 624 001.

Dindigul District.

: Petitioner

Vs.

1.The State of Tamil Nadu,

Rep. by its Secretary,

Department of School Education,

Fort St. George,

Chennai – 600 009.

2.The Director of School Education,

College Road,

Chennai – 600 006.

3.The Joint Director of School Education (Vocational),

College Road,

Chennai – 600 006.



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4.The Chief Educational Officer,
Dindigul, Dindigul District.

5.The District Educational Officer,
Dindigul, Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the fifth respondent District Educational Officer in Na.Ka.No.943/Aa3/2019 dated 17.12.2019, denying approval to the appointment of W.Madan Raj as Vocational Instructor in the petitioner school, quash the same and further direct the fourth respondent Chief Educational Officer herein to approve forthwith the appointment of W.Madhan Raj as Vocational Instructor w.e.f. the date of his appointment viz., 15.02.2019, with salary and all attendant benefits.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader



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ORDER

The issue involved in this Writ Petition is whether in cases where the post of vocational instructor which was a sanctioned post earlier, the school can seek for approval for the appointment of vocational instructor either on account of the retirement / removal of the earlier vocational instructor appointed by the very same school, despite the fact that the respondents have now abolished the post of vocational instructor.

2.The respondents rely upon G.O.Ms.No.9, School Education (VE) Department dated 06.01.2009, in support of their contentions that the proposal submitted by the petitioner's school was rightly rejected under the impugned order only in terms of G.O.Ms.No.9 dated 06.01.2009, on account of the fact the post of vocational instructor has now been abolished.

3.The very same issue was subject matter of consideration by the Division Bench of this Court in W.A.No.506 of 2020, wherein the Division Bench by its order dated 24.09.2025 held that the Government Order namely G.O.Ms.No.9 dated 06.01.2009, does not



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abolish the existing vocational streams which has already been sanctioned by the Government and therefore, when the vocational streams has not been abolished, the State cannot refuse to grant approval for the appointment of vocational instructor to the said streams.

4.I had also followed the Division Bench judgment referred to supra in my order dated 06.10.2025 passed in W.P.(MD)Nos.487 of 2020 and 26277 of 2019. In view of the well settled law, the reason given by the respondents under the impugned order for rejecting the petitioner's proposal is erroneous and is not in accordance with the well settled law. In this case as well, in the petitioner school, vocational instructor post was a sanctioned post. Only on account of the earlier vocational instructor having retired from service, there became a necessity for the petitioner school to appoint a replacement and therefore, the decision referred to supra squarely applies to the facts of this case as well.

5.For the forgoing reasons, the impugned order dated 17.12.2019, passed by the fifth respondent has to be quashed and the writ petition has to be allowed.



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6.Accordingly, the impugned order dated 17.12.2019 is hereby quashed and the writ petition is allowed, by directing the fourth respondent to pass final orders within a period of eight [8] weeks from the date of receipt of a copy of this order, approving the appointment of W.Madhan Raj as Vocational Instructor in the petitioner school with effect from 15.02.2019. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.10.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To

- 1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George,
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- 2.The Director of School Education,
College Road,
Chennai – 600 006.
- 3.The Joint Director of School Education (Vocational),
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ABDUL QUDDHOSE., J.

MR

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