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W.A.(MD)NO.1279 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1279 of 2024 and
C.M.P.(MD)No.9857 of 2024

1. The State of Tamilnadu,
Rep. By its Principal Secretary,
Department of School Education,
St. George Fort, Chennai – 600009.
 2. The Director of Elementary Education,
DPI Campus, Chennai – 600 006.
 3. The Joint Director of Elementary Education,
DPI Campus, Chennai – 600 006.
 4. The Chief Educational Officer,
Chinna Chokkikulam, Tallakulam,
Madurai – 625 002.
 5. The District Educational Officer,
District Educational Office Campus,
Melur, Madurai District.
 6. The Block Educational Officer,
Block Educational Office Campus,
Madurai West Union,
Madurai District.
- ... Appellants / Respondents

Vs.

A.Maheswari

... Respondent / Writ petitioner



Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 20.12.2022 in W.P.(MD)No.20738 of 2022 on the file of this Court.

For Appellants : Mr.C.Venkatesh Kumar,
Additional Government Pleader.

For Respondent : Mr.Chellapandian

* * *

J U D G M E N T

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. Paragraph Nos.3 and 4 of the order of the learned single Judge reads as follows:-

“3. The learned Government Advocate appearing for the respondents, on instructions, would submit that the petitioner is placed in Rank No.1 in the promotion list and as soon as the vacancy arises, the petitioner's candidature will be considered for promotion to the post of B.T.Assistant.

4. In view of the undertaking given by the learned Government Advocate appearing for the respondents, if there is any vacancy in the post of



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B.T.Assistant, the fifth respondent shall consider the petitioner's candidature and fill up the vacancy, within a period of six weeks from the date of vacancy.”

3. It is too obvious that the order of the learned single Judge is a consent order. The Hon'ble Supreme Court in the decision reported in **(2011) 6 SCC 365 (S.Thilagavathy V. State of T.N.)** held that writ appeal against a consent order is not maintainable. It is for the appellants to move the concerned learned single Judge for appropriate relief. This writ appeal stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
22th July 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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K.RAJASEKAR, J.

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