



W.A(MD) No.1984 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) No.1984 of 2025
and
C.M.P.(MD)No.11390 of 2025**

- 1.The Principal Secretary to the Government,
School Education (Pa.Ka.5(1)) Department,
Fort St.George, Chennai-9.
 - 2.The Director of Elementary Education,
DPI Campus, Chennai-6.
 - 3.The Chief Educational Officer,
Tenkasi District.
 - 4.The District Educational Officer (Elementary),
Tenkasi, Tenkasi District.
 - 5.The Block Educational Officer-II,
Melaneelithanallur Block,
Tenkasi District.
- ... Appellants / Respondents

Vs.

K.Durairaj **... Respondent / Writ Petitioner**



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 05.02.2025 in W.P.(MD)No.27341 of 2024 on the file of this Court.

For Appellants : Mr.C.Venkatesh Kumar
Special Government Pleader

For Respondent : Mr.D.Venkatachalam

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The basic facts are not in dispute. K.Durairaj / writ petitioner herein was appointed as Secondary Grade Teacher on 02.08.1995. He was promoted as Primary School Headmaster on 07.06.2000. The selection grade was conferred on him on 07.06.2010 in the rank of Primary School Headmaster. He was promoted as B.T.Assistant on 29.06.2012. He was further promoted as Middle School Headmaster on 11.03.2013. When the school was upgraded as Higher Secondary School, the writ petitioner was reverted as Primary School Headmaster on



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11.08.2017. He was once again promoted as Middle School Headmaster on 27.01.2022. The grievance of the writ petitioner is that if had he been allowed to continue as Primary School Headmaster, he would have definitely been awarded special grade in the year 2022. With the aforesaid request, he moved the education department. The Block Educational Officer-II, Melaneelithanallur Block, Tenkasi District rejected his request vide order dated 07.10.2024. Questioning the same, the writ petitioner filed W.P.(MD)No.27341 of 2024. The learned single Judge vide order dated 05.02.2025 allowed the writ petition in the following terms:-

“9.For the aforesaid reasons, this writ petition is allowed with the following direction:

(i) The impugned order dated 07.10.2024 issued by the fifth respondent is hereby quashed.

(ii) The fifth respondent is directed to sanction Special Grade to the petitioner with effect from 07.06.2020 with all consequential benefits.

(iii) The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.”

Aggrieved by the said order, the Government has filed this writ appeal.

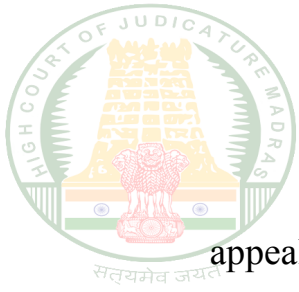


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3. No doubt, the learned single Judge had only followed the earlier orders of this Court. Our attention is drawn to the order dated 20.04.2023 made in W.A.(MD)No.434 of 2023 and the order dated 08.01.2024 made in W.P.(MD)No.28401 of 2023.

4. With utmost respect to our esteemed colleagues, we are not able to discern any ratio in those decisions. A person can be granted special grade in a given post only if he had continuously served in the said post for 20 long years. If a person had served for 10 long years, he has to be given selection grade. This conferment of selection grade and special grade is only to avoid stagnation. In the case on hand, the writ petitioner was promoted as BT Assistant in the year 2012 and then as Middle School Headmaster in the year 2013. Thus, between 2012-2017, the writ petitioner was given two promotions. Even a simple arithmetic would show that the writ petitioner did not complete 20 years in the post of Primary School Headmaster. Therefore, conferring special grade on him would really run counter to the norms laid down by the Government. On this ground, we set aside the order of the learned single Judge. The writ



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appeal stands allowed. No costs. Consequently, connected
miscellaneous petition is closed.

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(G.R.S., J.) (K.R.S., J.)
24.07.2025

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G.R.SWAMINATHAN, J.



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