



W.A.(MD)No.228 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.12.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A(MD)No.228 of 2021
and
C.M.P.(MD)No.689 of 2021**

1.The Chief Educational Officer,
O/o.Chief Educational Office,
Thoothukudi,
Thoothukudi District.

2.The District Educational Officer,
Tiruchendur,
Thoothukudi District.

3.The Block Educational Officer,
Udangudi,
Thoothukudi District.

... Appellants

Vs.

1.M.Petchiammal

2.The Correspondent,
T.N.D.T.A.Middle School,
Meiyur, Udangudi Range,
Thoothukudi District.

... Respondents



W.A.(MD)No.228 of 2021

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.24463 of 2019 dated 27.11.2019 on the file of this Court.

For Appellants : Ms.T.Amjadkhan,
Government Advocate.

For Respondents : No appearance

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Though the first respondent has been served and her counsel (Mrs.D.Rukmani) who filed the writ petition had entered appearance in the writ appeal, there is no appearance on her behalf.

2.The Education Department of Government of Tamil Nadu has filed this writ appeal questioning the order dated 27.11.2019 passed by the learned Single Judge in W.P.(MD)No.24463 of 2019 filed by the first respondent herein.

3.The second respondent herein is a minority school coming under corporate management. The first respondent herein was appointed as



W.A.(MD)No.228 of 2021

B.T. Assistant on 28.08.2017. The management submitted proposal for approval of the appointment. The competent authority declined to grant approval and returned the proposal. Challenging the same, W.P.(MD)No.24463 of 2019 was filed. The learned Single Judge vide order dated 27.11.2019 set aside the order dated 25.09.2019 passed by the authority returning the proposal. The management was directed to resubmit the proposal and on receipt of the same, the authority was directed to pass order thereon. Aggrieved by the direction given by the learned Single Judge, this writ appeal came to be filed.

4.This Court had granted an order of interim stay also. However, during the pendency of the writ appeal, the District Educational Officer (Elementary Education), Thoothukudi issued proceeding dated 31.07.2024 approving the appointment of the writ petitioner from the date of deployment. In fact, during the relevant time, there were surplus teachers (in the cadre of B.T. Assistant) in the schools coming under the corporate management. Though the writ petitioner was appointed as early as on 28.08.2017, the surplus got exhausted only in the year 2023 and on 07.08.2023, the writ petitioner was deployed to another school



W.A.(MD)No.228 of 2021

coming under the corporate management. Approval has been granted with effect from 07.08.2023 instead of 28.08.2017. Copy of the proceeding has been passed on by the learned Government Advocate for the appellants.

5.Recording the subsequent development, the order of the learned Single Judge is set aside and the writ appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S. J.,) & (R.K.M. J.,)
18.12.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

- 1.The Chief Educational Officer,
O/o.Chief Educational Office,
Thoothukudi,
Thoothukudi District.
- 2.The District Educational Officer,
Tiruchendur,
Thoothukudi District.



W.A.(MD)No.228 of 2021

3.The Block Educational Officer,
Udangudi,
Thoothukudi District.

WEB COPY



WEB COPY



W.A.(MD)No.228 of 2021

G.R.SWAMINATHAN, J.
and
R.KALAIMATHI, J.

ias

W.A.(MD)No.228 of 2021

18.12.2025