



W.P.(MD)No.15253 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15253 of 2025

and

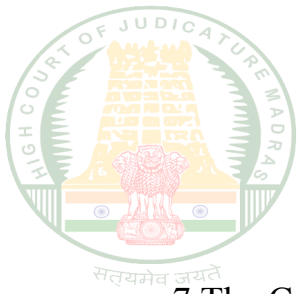
W.M.P.(MD)No.11526 of 2025

M.Justin Santhiagu

... 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 Chief Educational Officer,
Dindigul District, Dindigul.
- 4.The District Educational Officer (Secondary),
Dindigul District, Dindigul.
- 5.The Secretary and Superintendent of Roman Catholic Schools,
Diocesan Educational Council, Dindigul Diocese,
Dindigul District.
- 6.The Correspondent,
Loyola Higher Secondary School,
Anuantharayan Kottai, Dindigul District.



W.P.(MD)No.15253 of 2025

7. The Correspondent,
John Paul Higher Secondary School,
Nehruji Nagar, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth respondent to appoint the petitioner as B.T. Assistant (Science) in the vacant post in seventh respondent school namely, John Paul Higher Secondary School, Anumantharayankottai, Dindigul, is declared as surplus, by considering the petitioner's representation dated 08.03.2025.

For Petitioner	:	Mr.K.Ragatheesh Kumar for M/s.Isaac Chambers
For R1 to R4	:	Mr.M.Siddharthan Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the fifth respondent to appoint the petitioner as a B.T. Assistant (Science) in the vacant post at the seventh respondent school, namely, John Paul Higher Secondary School, Anumantharayankottai, Dindigul, which has been declared as surplus, by considering the petitioner's representation dated 08.03.2025.



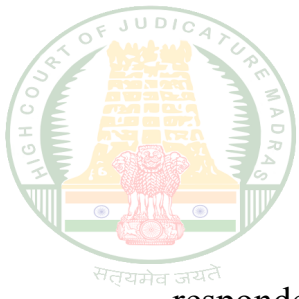
W.P.(MD)No.15253 of 2025

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2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner was initially appointed as B.T. Assistant (Science) on 01.06.2007 in the seventh respondent school, John Paul Higher Secondary School, Nehruji Nagar, Dindigul District, which functions under the self-financing scheme. He served continuously and diligently in the said post for over 16 years until 02.07.2023. On a vacancy arising in the sixth respondent school, Loyola Higher Secondary School, Anumantharayan Kottai, the fifth respondent appointed the petitioner as B.T. Assistant (Science) in the said post, which is an aided post.

4. The learned counsel further submits that the sixth respondent school submitted the necessary appointment proposal to the third respondent / Chief Educational Officer (CEO), through the fourth respondent / District Educational Officer (DEO). However, the DEO, vide proceedings in O.Mu.No.3963/A3/2023, declined to approve the appointment of the petitioner as B.T. Assistant (Science), citing G.O.Ms.No.165, School Education Department dated 17.09.2019. The third respondent CEO had already issued the staff fixation order for the sixth

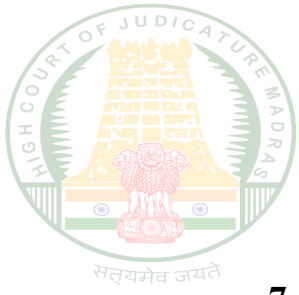


W.P.(MD)No.15253 of 2025

respondent school, thereby recognizing the availability of the said sanctioned post. The petitioner, being fully qualified and possessing long-standing experience in the same subject, is entitled to be appointed in the vacant aided post. However, his appointment was rejected without proper justification or individual consideration of merit solely based on the general application of G.O.Ms.No.165, dated 17.09.2019. Therefore, the petitioner seeks a direction to the fifth respondent to approve and regularize his appointment as B.T. Assistant (Science) in the sixth respondent school and to extend all service and monetary benefits to him accordingly.

5. Heard both sides.

6. Considering the above said facts and circumstances of the case, there shall be a direction to the fifth respondent herein to consider the representation dated 08.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the fifth respondent to consider the same on its own merits.



W.P.(MD)No.15253 of 2025

WEB COPY

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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05.06.2025



W.P.(MD)No.15253 of 2025

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W.P.(MD)No.15253 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.15253 of 2025

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