



W.P.(MD)No.15279 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.15279 of 2025

and WMP (MD) Nos.11564 & 11566 of 2025

A.Chockalingam Moopanar

: Petitioner

Vs.

1. The Chief Educational Officer,
Kanyakumari District.

2. S.M.S.M. Higher Secondary School,
Rep. by its Secretary,
Suchindrum and Post,
Kanyakumari District.

3. Devasam Higher Secondary School,
Rep. by its Secretary,
Mandaikadu,
Kurunthancode,
Kanyakumari District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 1st respondent herein in Na.Ka.No. 5402/A1/2024 dated 28.05.2025, Quash the same.

For Petitioner : Mr. E.V.N.Siva

For Respondents : Mr.M.Siddharthan

Additional Government Pleader for R1



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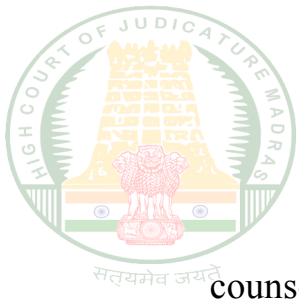
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ORDER

Challenging the impugned proceedings dated 28.05.2025, issued by the first respondent, the present writ petition has been filed by the petitioner.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 2 and 3 is dispensed with.

3. The petitioner asserts that he is currently working as a BT Assistant (Maths) in the second respondent school, which is a private aided institution. The first respondent, vide proceedings dated 26.05.2025, called for deployment counselling to be held on 28.05.2025, enclosing a list of surplus teachers working in Kanyakumari District. According to the list, there are 76 overall surplus posts, out of which 15 are BT Assistant (Maths) posts. The petitioner was placed 9th among the surplus BT Assistant (Maths) teachers. The grievance of the petitioner is that, among the 76 surplus teachers, most did not participate in the



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counselling. Nevertheless, the first respondent, vide the impugned proceedings dated 28.05.2025, deployed the petitioner to the third respondent school, which, according to the petitioner, is in violation of the guidelines laid down under the Tamil Nadu Private Schools (Regulation) Act, 2018 and the Rules, 2023. Aggrieved by the said proceedings, the present writ petition has been filed.

4. The learned counsel for the petitioner, upon producing a copy of the representation dated 06.06.2023 submitted to the respondents, submitted that, it would suffice, if this Court issues a direction to the first respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

5. On the other hand, the learned Additional Government Pleader appearing on behalf of the respondents submitted that the impugned order itself makes reference to the Government Order issued in G.O.(Ms.) No.146, School Education Department, dated 28.06.2024, which outlines the procedure to be followed in matters relating to the deployment of surplus teachers. It was further submitted that the said



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representation of the petitioner would be duly considered by the competent authorities and appropriate orders would be passed in accordance with law and the applicable Government guidelines.

6. In the light of the above discussions, there shall be a direction to the first respondent to consider the petitioner's representation dated 06.06.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, 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 second respondent to consider the same on its own merits.

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

25.06.2025

Index : Yes / No

Internet : Yes / No

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To

The Chief Educational Officer,
Kanyakumari District.



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VIVEK KUMAR SINGH, J.

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