



WP(MD). No.16986 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

**WP(MD). No.16986 of 2025
and
WMP(MD)Nos.12899 & 12901 of 2025**

Pakkir Mohaideen A

... Petitioner

Vs.

1. The District Educational Officer (Secondary) (Incharge),
O/o. the District Education Officer,
Ramanathapuram District.

2. The Chief Educational Officer,
O/o. the Chief Education Officer,
Ramanathapuram District.

3. The Secretary,
Ka West Muslim High School,
Paramakudi, Ramanathapuram District - 623 707.

4. The Secretary,
Devangar Higher Secondary School,
Neeravi, Kamudhi Taluk,
Ramanathapuram District..

5. The Headmaster,
K.A. West Muslim High School,
Paramakudi,
Ramanathapuram District - 623 707.

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka. No.1676/Aa6/2025 dated 24.04.2025 on the file of the respondent No.2 and the consequential impugned order in Na.Ka. No.5949/Aa4/2024 dated 02.06.2025 on the file of the respondent No.1 and to quash the same as illegal and consequently to direct the respondents No.1 and 2 to permit the petitioner to continue as Physical Education Teacher in the 3rd respondent School.

For Petitioner : Mr.Rithik Sushil
for M/s. Roy and Roy Associates,
For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader for R1 & R2

ORDER

This Petition is filed challenging the impugned order dated 24.04.2025 on the file of the second respondent and the consequential impugned order dated 02.06.2025 on the file of the first respondent and consequently to direct the respondents 1 and 2 to permit the petitioner to continue as Physical Education Teacher in the 3rd respondent School.

2. Heard the learned counsel on either side and perused the material available on record.



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3. The challenge in the writ petition is to the order of deployment of the petitioner from the fifth respondent School to the fourth respondent School by treating the sanctioned post as surplus. The post in which the petitioner had been engaged is admittedly a solitary post of Physical Education Teacher in the fifth respondent School. It had been repeatedly held that a solitary sanctioned post in a particular School cannot be rendered as surplus, on the ground that the students' strength in the said School fell below the total sanctioned strength in the School. Even while granting the interim order, this Court, relying upon the various judgment of this Court, had granted interim order. This legal position also cannot be disputed by the respondent.

4. In view of the same, the impugned orders are liable to be set aside and is accordingly set aside. In fine, the Writ Petition stands allowed. No order as to costs. Consequently, connected Miscellaneous Petitions are closed.

27.10.2025

NCC :Yes/No
Index :Yes/No
LS

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