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W.A.(MD)NO.1743 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1743 of 2025 AND

C.M.P.(MD)No.9767 of 2025

1. The State of Tamil Nadu, Rep. by its Secretary,
Department of School Education, Fort St.George, Chennai.
2. The Director of School Education,
College Road, Chennai – 600 006.
3. The Chief Educational Officer, Madurai District.
4. The District Educational Officer,
Usilampatti, Madurai District. ... Appellants/Respondents 1 to 4

Vs.

1. M.Uma ... 1st Respondent / Writ petitioner
2. The Administrator,
Tamil Evangelical Lutheran Church(TELC),
P.B.No.86, Tranquebar House, Trichy – 620 001.
3. The Correspondent / Advocate Administrator,
TELC Girls Higher Secondary School,
Usilampatti, Madurai District – 625 532. ... Respondents 2 & 3/
Respondents 4 & 5

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 24.04.2025 in W.P.(MD)No.8689 of 2025 on the file of this Court.

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

For R-1 : Mr.Niranjan S.Kumar



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

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Heard both sides.

2.The writ petitioner Uma was appointed as B.T.Assistant (Maths) in the third respondent school w.e.f 27.02.2017 in a sanctioned vacancy. Vide order dated 26.03.2018 in WP(MD)No.4295 of 2018, the appointment was directed to be approved. This order was set aside on the ground that the then administrator was not given opportunity to file counter. The specific stand of the writ petitioner is that during the relevant time, there was no surplus. This factual aspect need not be gone into. This writ appeal can be disposed of on a different ground altogether. One A.Caroline Pushpa was appointed as B.T.Assistant (Maths) six months later in the very same school. Her appointment was approved vide proceedings dated 21.06.2023 w.e.f 16.08.2017. Having approved the appointment of a subsequently appointed candidate in the very same school, it is not open to them to assail the impugned order passed by the learned Single Judge in favour of the writ petitioner. The case of Uma is on par with that of Caroline Pushpa. The yardstick applied in the case of Caroline Pushpa has to be applied in the case of the writ petitioner also. The principle of parity would certainly kick in. Interference with the impugned order is not warranted. The government shall settle all the benefits including arrears within 12 weeks from the date of receipt of copy of this order.



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3. This writ appeal stands dismissed. No costs. Consequently,

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connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)

7th July 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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