



W.P.(MD)No.18955 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18955 of 2025

and

W.M.P.(MD)No.14518 of 2025

The Correspondent,
Sarojini Memorial Higher Secondary School,
Orappanavilai,
Kanyakumari District - 629 204.

... Petitioner

-VS-

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai - 600 009.

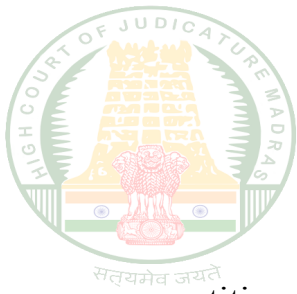
2.The Director of School Education,
College Road, Chennai - 600 006.

3.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

4.The District Educational Officer (Secondary Education),
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 4 herein to forthwith approve the appointment of P.Prigin as P.G. Assistant (Commerce) in the



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petitioner school with effect from 09.09.2024, in the sanctioned post and to grant all attendant benefits, including arrears of salary and allowances.

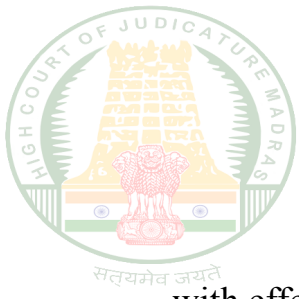
For Petitioner : Mr.V.Nirmal Kumar
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 3 and 4 to forthwith approve the appointment of P.Prigin as 'Post Graduate Assistant (Commerce)' in the petitioner school with effect from 09.09.2024, in the sanctioned post and to grant all attendant benefits, including arrears of salary and allowances.

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

3. According to the petitioner, one post of Post Graduate Assistant (Commerce) in the petitioner School fell vacant on 01.06.2024, due to the retirement of the then incumbent, S.Hemakumari, on 31.05.2024. In the resultant vacancy, the School appointed P.Prigin as 'Post Graduate Assistant (Commerce)'

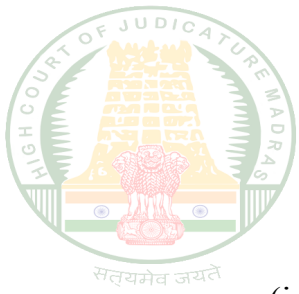


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with effect from 09.09.2024. The said appointment was made against a sanctioned post, as per the staff fixation for the academic year 2024–2025, issued vide proceedings bearing Na.Ka.No.6120/A4/2024, dated 18.12.2024. The petitioner School promptly submitted the necessary proposal to the fourth respondent / the District Educational Officer, vide letter dated 10.03.2025, seeking approval of the appointment of P.Prigin, for the purpose of disbursement of grant-in-aid towards his salary. However, the fourth respondent returned the proposal vide proceedings in Na.Ka.No.1368/Aa3/2025, dated 23.04.2025, citing irrelevant and extraneous reasons.

4. It was stated that the petitioner School had earlier assured, by letter dated 13.11.2024, to complete repairs of a dilapidated building within two weeks, which was allegedly not complied with. The fourth respondent further directed the School to resubmit the proposal only after completing the construction work, along with the following documents:-

- (i) Fire and Safety Certificate
- (ii) Building Stability Certificate
- (iii) Building License



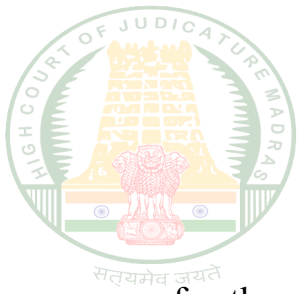
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(iv) Sanitary Certificate

Pursuant to the said direction, the petitioner School immediately resubmitted the proposal vide letter dated 08.05.2025, enclosing the necessary documents and explaining that the reason cited for the earlier rejection was irrelevant to the approval of the appointment. It was also informed that the construction work had already been completed and that the required certificates had already been applied for before the competent authorities.

5. Furthermore, it was submitted that such documents were not relevant for the approval of the appointment of P.Prigin as 'Post Graduate Assistant (Commerce)' and accordingly, a request was made to approve the appointment without further delay. Despite the same, the fourth respondent once again returned the proposal vide proceedings in Na.Ka.No.1368/Aa3/2025, dated 16.05.2025, stating that the construction of three classrooms was not properly completed. The fourth respondent also instructed the School to renovate the building on the western side of the campus for use by the students. Further, the School was directed to resubmit the proposal along with a report from the authorized Executive Engineer, accompanied by photocopies and four specific certificates

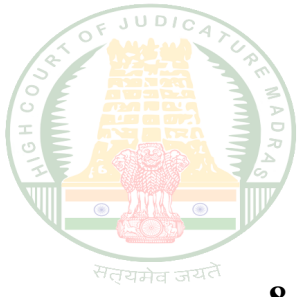


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for the period from 01.06.2024 to 31.05.2025. Complying with the instructions, the petitioner School once again resubmitted the proposal to the fourth respondent / the District Educational Officer, vide letter dated 18.06.2025, seeking approval of the appointment of P.Prigin as 'Post Graduate Assistant (Commerce)' along with all required documents, including details of the renovation of the western building, which is now being used by the students. Since no action has been taken on the said proposal by the fourth respondent, the petitioner has approached this Court by filing the present Writ Petition, seeking the relief stated supra.

6. Heard both sides.

7. Considering the above said facts and circumstances of the case, there shall be a direction to the fourth respondent herein to consider the proposal submitted by the petitioner, dated 18.06.2025, 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 fourth respondent to consider the same on its own merits.



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8. 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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15.07.2025

To:-

- 1.The Secretary,
State of Tamil Nadu,
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,
Nagercoil, Kanyakumari District.
- 4.The District Educational Officer (Secondary Education),
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VIVEK KUMAR SINGH, J.

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