



Rev.Apl.C(MD) No.142 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 29.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

Rev.Apl.C(MD) No.142 of 2025

in

W.A.(MD)No.2049 of 2023

and

C.M.P.(MD)No.12207 of 2025

S.Nagaretnam

... Review Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai 600 009.**
- 2.The Director of State Council of
Educational Research & Training,
DPI Compound, College Road,
Chennai 600 006.**
- 3.The Principal,
District Institute of Education & Training,
Vanaramutti,
Tuticorin District.**

... Respondents



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PRAYER: Review Application filed under Order 47 Rule 1 & 2 read with Section 114 of C.P.C, praying this Court to review and re-consider the order dated 20.06.2025 made in W.A.(MD)No.2049 of 2023 against W.P.(MD)No.6470 of 2019 on the file of this Court.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.C.Venkateshkumar
Special Government Pleader

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

The review applicant herein filed W.P.(MD)No.6470 of 2019 and obtained a positive direction for redeploying her in any other Government institutions. The review applicant was working as the principal of a Private Teacher Training Institute. There was a drastic reduction in the students strength. The institution itself came to be closed. Aggrieved by the positive direction given by the learned single Judge, the Government filed W.A.(MD)No.2049 of 2023. Even while setting aside the order of the learned single Judge, we left the matter to



the wisdom of the Government to take an appropriate decision.

Aggrieved by the order passed by this Bench, the review application came to be filed.

2. The learned counsel appearing for the review applicant points out that this Court has not given full weight to the amendment made to Section 26 of Tamil Recognised Private Schools (Regulation) Act, 1973. It is true that while extracting the relevant provision, the amendment made in the year 1986 was not incorporated. Section 26 as amended reads as follows:-

“26. Where any retrenchment of any teacher or other person employed in any private school is rendered necessary consequent on any order of the Government relating to education or course of instruction or to any other matter (or consequent on the reduction in strength of the pupils studying in any such private school) it shall be competent for the Government or the school committee of any private school to appoint such teacher or other person in any school or institution maintained by the Government or in such private school, as the case may be.

(Explanation:- for the purpose of this section, the strength of the pupils shall be determined in accordance with the norms fixed in the Grant-in-Aid code of the Tamil Nadu Education Department or under any rule, regulation or order as may be made or issued by the Government or the Director of School Education,



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from time to time for appointment of teachers or others in any private school)”

3. We clarify that when we allowed the Government's appeal, we did bear in mind the amendment now pointed out by the learned counsel appearing for the review applicant. It was only a typographical omission and nothing else. A careful reading of the aforesaid provision would indicate that the matter has to be eventually decided only by the Government and no positive direction could have been given. Review of the order passed by us is not called for.

4. The review application stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
29.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

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