



W.P.(MD)No.21452 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.21452 of 2021

and

W.M.P.(MD)No.23683 of 2023

K.Valarselvi

: Petitioner

Vs.

- 1.The Secretary,
Department of School Education,
Fort Saint George,
Chennai – 600 008.
- 2.The Commissioner of School Education,
College Road, Nungambakkam,
Chennai – 600 006.
- 3.The Chief Educational Officer,
Tallakulam,
Madurai – 2.
- 4.The District Educational Officer,
Melur Educational District,
Melur,
Madurai District.



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5.The Headmistress,

Lourdhu Annai Girls Higher Secondary School,

K.Pudur,

Madurai – 625 007.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fourth respondent in Na.Ka.No.6335/A1/2018 dated 25.02.2019 and quash the same as illegal and further direct the respondents to send the proposal to regularize the service of the petitioner as directed by this Court in W.P.(MD)No.16132/2012 dated 16.02.2018.

For Petitioner : Mr.K.C.Ramalingam

For Respondents 1 to 4 : Mr.S.Shaji Bino,
Special Government Pleader

For Respondent No.5 : Mr.R.Hari Hara Selvan
for M/s.Isaac Chambers

ORDER

This Writ Petition has been filed challenging the impugned order dated 25.02.2019, passed by the fourth respondent, rejecting the proposal sent by the fifth respondent school seeking to approve



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the appointment of the petitioner as part-time Sweeper in the fifth respondent school.

2. Under the impugned order, the proposal has been rejected on the ground that part-time Sweeper is not a sanctioned post in the fifth respondent school. Admittedly, the part-time Sweeper is not a sanctioned post. The same is also confirmed by the learned Counsel for the petitioner. However, he would submit that in view of the strength of the fifth respondent school, which is having more than 1500 students, as per G.O.Ms.No.583, Education and Public Health Department dated 23.01.1966, the petitioner's appointment ought to have been approved and the fifth respondent school should have taken steps to seek sanction for the post of Sweeper in their school.

3. Admittedly, as on date, the post of part-time Sweeper in the fifth respondent school is not a sanctioned post. The petitioner's grievance in this Writ Petition is that the fifth respondent school has not taken steps to seek sanction for the post of Sweeper. Considering the strength of the fifth respondent school which is having more than 1500 students, G.O.Ms.No.583, will become applicable. For the fault of the fifth respondent school, the fourth respondent cannot be



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blamed, who has passed the impugned order. Only due to the fact that the post of part-time Sweeper is not a sanctioned post, the fourth respondent has rejected the proposal sent by the fifth respondent school on 14.06.2018. Though the petitioner contends that no such proposal was sent by the fifth respondent pursuant to the directions issued by this Court in the earlier writ petition filed by the petitioner in W.P.(MD)No.16132 of 2012, through order dated 16.02.2018, in the impugned order passed by the fourth respondent, there is a reference to such a proposal having been sent by the fifth respondent school.

4.A counter affidavit has also been filed categorically stating that a proposal was sent by the fifth respondent school on 14.06.2018, which was duly considered as per norms in force and only thereafter, the impugned order came to be passed.

5.Since the post of part-time Sweeper is not a sanctioned post in the fifth respondent school, this Court does not find any infirmity in the impugned order. Accordingly, there is no merit in this Writ Petition.



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6.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

15.10.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

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ABDUL QUDDHOSE., J.

MR

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