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W.P.(MD) No.24287 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.24287 of 2022

and

W.M.P.(MD) No.18391 of 2022

The Secretary
Rajah's Higher Secondary School
No.4, Kernal Banglow Street
Ramanathapuram District-623 501

... Petitioner

-VS-

- 1.The State of Tamil Nadu
rep.by its Secretary
Department of School Education
Fort St.George, Chennai-600 009
- 2.The Commissioner of School Education
College Road, Chennai-600 009
- 3.The Joint Director (Vocational)
College Road, Chennai-600 006
- 4.The Chief Educational Officer
Ramanathapuram
Ramanathapuram District



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5.The District Educational Officer
Ramanathapuram
Ramanathapuram District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned proceedings issued by the 4th respondent CEO in Moo.Mu.No. 686/a5/2021 dated --.04.2021 in so far the 6th condition is concerned and the consequential proceedings of the 5th respondent DEO in O.Mu.No. 4180/a4/2022 dated --.09.2022 refusing approval to the appointment of P.Sasikala as Vocational Instructor in Computer, quash the same and further direct the respondents herein to approve forthwith the appointment of P.Sasikala as Vocational Instructor in Computer w.e.f. the date of her appointment viz., 01.06.2022 with salary and all attendant benefits.

For Petitioner : Ms.A.Amala

For Respondents : Mr.S.Shaji Bino
Special Government Pleader



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permission for the petitioner – School to appoint Vocational Instructor does not arise.

4. The very same issue was the subject matter of consideration by this Court in W.P.(MD) Nos.487 of 2020 and 26277 of 2019, in the case of the **Secretary, Charrm Bharathi Higher Secondary School, Kadayam-627 415, Tirunelveli District vs. The State of Tamil and others**, wherein, based on the Division Bench Judgment dated 24.09.2025, passed in W.A.No. 506 of 2020, in the case of **State of Tamil Nadu vs. The Correspondent, St.Josephs Girls Higher Secondary School**, this Court by a common order dated 06.10.2025 allowed the writ petitions. By allowing the said writ petitions, the Non-Minority Institution was permitted to fill up two posts of Vocational Instructor in their School, as this Court held that once the post of Vocational Instructor is a sanctioned post, for any Non-Minority Institution, they cannot be prevented from seeking replacement for the said post, once the earlier Vocational Instructor retired from service. In the case on hand as well, the petitioner - School is a Non-Minority Institution and they are seeking prior permission only to fill up the vacancy for the post of Vocational Instructor on account of the fact that the earlier Vocational Instructor in their School had



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voluntarily retired from service. For the foregoing reasons, this Court has to necessarily allow this writ petition.

5. Accordingly, this writ petition is allowed and the impugned orders dated04.2021, passed by the fourth respondent, and dated 09.2022, passed by the fifth respondent, are hereby quashed and this writ petition is allowed by directing the petitioner to submit a fresh proposal to the fourth respondent seeking prior permission to appoint P.Sasikala as Vocational Instructor in Computer, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said proposal, the fourth respondent shall grant approval for the petitioner – Institution to appoint P.Sasikala as Vocational Instructor in Computer, from the date of her appointment, by passing final orders, within a period of twelve weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

17.11.2025

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

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To:

- 1.The Secretary,
Department of School Education,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of School Education,
College Road, Chennai-600 009.
- 3.The Joint Director (Vocational),
College Road, Chennai-600 006.
- 4.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.
- 5.The District Educational Officer,
Ramanathapuram,
Ramanathapuram District.



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ABDUL QUDDHOSE, J.

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