



W.P.(MD)No.23017 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.23017 of 2025
and
W.M.P(MD)No.18092 of 2025

G.Balasingh

: Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600009.
2. The Director of School Education,
DPI Compound, College Road,
Chennai.
3. The Joint Director (HSE),
Directorate of School Education,
DPI Compound, College Road,
Chennai- 600 006.
4. The Chief Educational Officer,
Office of the Chief Educational Office,
Si.Va.Hr.Sec. School Campus,
Tuticorin 628 003.
5. The Chief Educational Officer,
Office of the Chief Educational Office,
The Collectorate,
Tirunelveli.



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6. The Head Master,
Government Higher Secondary School,
Sorispuram, Tuticorin - 628 101.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of impugned letters sent by the 4th respondent 11.06.2025 bearing Lr.R.C.No.2721/A6/2025 and 16.07.2025 bearing Lr.R.C.No.4002/A6/2025 and quash the same and direct the 2nd respondent to dispose of the appeal preferred by the petitioner dated 24.07.2024 and consequently promote the petitioner Headmaster Higher Secondary School notionally from 20.07.2024 and to pay all the attendant benefits.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.M.Siddharthan (R1 to R5)

Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned letters sent by the 4th respondent 11.06.2025 bearing Lr.R.C.No.2721/A6/2025 and 16.07.2025 bearing Lr.R.C.No.4002/A6/2025 and also to direct the 2nd respondent to dispose of the appeal preferred by the petitioner dated 24.07.2024 and consequently promote the petitioner Headmaster Higher



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Secondary School notionally from 20.07.2024 and to pay all the attendant benefits.

2. Considering the nature of the order proposed to be passed in this writ petition, notice to the sixth respondent is dispensed with and this writ petition is taken up for disposal at the stage of admission itself.

3. The petitioner was appointed as PG Assistant in the year 2002 and he is due to retire on 30.06.2026. A panel for promotion to the post of Headmaster was issued, wherein his name was found at S.No.11. He also participated in the online promotional counselling, wherein the names of two schools were displayed. When the petitioner was about to choose Kalakkad school, it was blocked by the department itself. Due to frustration of the said illegal blocking, the petitioner relinquished his promotion. As against the said illegal blocking, the petitioner filed an appeal before the second respondent. While this being so, the impugned orders came to be passed. Challenging the same, this writ petition came to be filed.



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4. The learned counsel appearing for the petitioner submitted that the petitioner has not relinquished his promotion in terms of Tamil Nadu Government Servants Conduct Rules and the relinquishment is only because of frustration of the illegal blocking by the department, which cannot be put against the petitioner. Hence, the impugned orders are unsustainable one. He further submitted that no orders have been passed on the appeal filed by the petitioner and hence, this Court may issue a direction to the second respondent to pass appropriate orders.

5. Per contra, the learned Additional Government Pleader appearing for the official respondents would submit that the petitioner relinquished his promotion in the counselling and hence he cannot seek for promotion for a period of three years and hence he prayed for dismissal of this writ petition.

6. Admittedly, the petitioner has relinquished his promotion and hence, as per the applicable Rules, he cannot seek promotion as a matter of right for a period of three years. In view of the same, this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed.



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7. However, the petitioner is granted liberty to work out his remedy of claiming promotion in future. There shall also be a direction to the second respondent to dispose of the appeal dated 24.07.2024 within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

25.08.2025

Index : Yes / No

NCC : Yes / No

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M.DHANDAPANI, J.

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