



W.P.(MD)No.24505 of 2022

WEB COPY

DATED: 17.11.2025

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THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.24505 of 2022

and

W.M.P.(MD)Nos.18575 & 18578 of 2022

The Secretary,
Ulagappar Higher Secondary School,
Thirumayam Taluk,
Pudukottai District – 622 505

: Petitioner

Vs.

1.The Director of School Education,
College Road, Chennai – 600 006

2.The Joint Director of School Education,
(Higher Secondary), College Road,
Chennai – 600 006

3.The Chief Educational Officer,
Pudhukottai District at Nizam Colony,
Pudhukottai District

4.The District Educational Officer,
Pudhukottai, Anna Nagar,
Pudhukottai District

: Respondents



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PRAYER: Writ 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 3rd respondent Chief Educational Officer in Na.Ka.No.1894/Aa3/2021 dated 17.09.2021, quash the same and further direct the 3rd respondent Chief Educational Officer to approve forthwith the promotion of G.Vanithamani as PG Assistant (History) w.e.f. 09.09.2020 in the petitioner school and disburse the grant-in-aid towards her salary and allowances with all attendant benefits.

For Petitioner : Mr.Harihara Selvan.R,
for M/s.Isaac Chambers

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

ORDER

The issue that arises for consideration in this writ petition is whether one G.Vanithamani, who has completed B.A. [English] and M.A. [History], is entitled to be appointed as P.G. Assistant [History]. The respondents have rejected the request of the petitioner school seeking approval for the appointment of G.Vanithamani on the ground that since G.Vanithamani has not completed History in both under-graduation and post-graduation, G.Vanithamani is not entitled



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to be granted approval for her appointment to the post of P.G. Assistant [History].

2. Learned Counsel for the petitioner drew the attention of this Court to a Division Bench judgment of this Court dated **04.12.2024** passed in ***W.A.(MD)No.716 of 2022***, in the case of ***the Director of School Education & others Vs. The Correspondent, L.M.S. Girls Higher Secondary School, Kanyakumari District***. He would submit that in the said decision as well, the very same issue was the subject matter of consideration and the Division Bench has approved the appointment of the teacher, even though the said teacher did her under-graduation in a different subject and had done post-graduation in the subject for which P.G. Assistant teacher was appointed. Even though the rules have been subsequently changed under the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973, at the relevant point of time, the said Rules were not applicable to the case of the teacher whose approval has been rejected under the impugned order and therefore, the new rules has no applicability to the case of the teacher. Hence, learned Counsel for the petitioner would submit that the decision of the Division Bench dated 04.12.2024, referred to *supra* squarely applies to the case of the petitioner and therefore, approval ought to have



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been granted by the respondents for the appointment made by the petitioner - school.

3. On the other hand, learned Special Government Pleader appearing for the respondents reiterated the contents of the counter. According to him, only as per the Rules presently available, the request of the petitioner has been rejected under the impugned order. However, as seen from the Division Bench judgment of this Court dated **04.12.2024** passed in **W.A.(MD)No.716 of 2022**, in the case of ***the Director of School Education & others Vs. The Correspondent, L.M.S. Girls Higher Secondary School, Kanyakumari District***, the very same issue was the subject matter of consideration by the Division Bench. The Division Bench, after taking into consideration the very same objections that have been raised by the learned Special Government Pleader before this Court, came to the conclusion that despite the fact that a teacher who did under-graduation in a different subject and had done post-graduation in a subject for which P.G. Assistant teacher was appointed, the said teacher was eligible to be appointed to the post of P.G. Assistant.

4. In the case on hand as well, the teacher concerned has completed her B.A. in English and has completed M.A. in History and



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therefore, she is entitled to be appointed as P.G. Assistant [History] as per the decision rendered by the Division Bench of this Court on 04.12.2024 passed in W.A.(MD)No.716 of 2022.

5. For the foregoing reasons, the impugned order dated 17.09.2021 passed in Na.Ka.No.1894/Aa3/2021 by the third respondent is hereby quashed and this Writ Petition is allowed, by directing the third respondent to approve the promotion of G.Vanithamani as P.G. Assistant [History] with effect from the date of her appointment in the petitioner's school and disburse the grant-in-aid towards her salary and allowances with all eligible attendant benefits. The said exercise shall be completed within a period of twelve [12] weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected Writ Miscellaneous Petitions are closed.

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Index : Yes / No

Internet : Yes / No

NCC : Yes/No

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ABDUL QUDDHOSE., J.

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