



WP(MD)No.25142 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WP(MD)No.25142 of 2019

S.Sundari

.. Petitioner

Vs.

1.The Principal Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Fort St. George, Chennai – 600 009.

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

3. The Joint Director of School,
Education (VOC), College Road,
Chennai – 600 006.

4.The Chief Educational Officer,
O/o.Chief Educational Office,
Thanjavur District.

.. Respondents

For Petitioner:

Mr.R.Saravanan

For Respondents:

Mr.G.V.Vairam Santhosh

Additional Government Pleader



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ORDER

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The writ petition has been filed directing the respondents to consider the representation submitted by the writ petitioner dated 25.10.2019 based on GO(Ms).No.35 School Education Department dated 09.02.2007.

2. The case of the writ petitioner is that she was appointed as Vocational Instructor (Computer Science) on 14.06.1996, in the Government Girls Higher Secondary School, Pattukottai, against the vacancy arose due to the resignation of K.Sivanantham on 03.02.1996. At the time of the appointment no prescribed qualification for the Government Vocational Instructor (Computer Science), only in the GO(Ms).No.7 School Education Department dated 04.01.2000, prescribed qualification is fixed for the post of Vocational Instructor (Computer Science). Therefore, she is fully qualified Vocational Instructor (Computer Science) in the regular time scale. The Government has also issued GO(Ms).No.74 School Education Department dated 10.06.2002 to regularize 235+126 part time Vocational Instructors with effect from 20.09.1996, prescribing the cut off date as 20.06.1996. She was also one among the beneficiaries of the aforesaid Government Order.



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2(i). In view of her appointment, prior to cut off date that is 14.06.1996, the Government had issued GO(Ms).No.35 dated 09.02.2007 permitting the Director of School Education to fill up the existing 201 Vocational Instructors post including 44 part time Vocational Instructors appointed prior to 20.09.1996 and subsequently qualified in the time scale. She sent a representation to the respondent on 25.10.2019 to consider the case but all efforts made went in vein. Hence this writ petition.

3. The learned counsel appearing for the petitioner would submit that as per the GO(Ms).No.7 School Education Department dated 04.01.2000 alone prescribed the requisite qualification for the post of Vocational Instructors (Computer Science). The petitioner has fully qualified to be appointed as Vocational Instructor in regular time scale of pay. He would further submit that as per the GO(Ms).No.991, Education dated 17.06.1991, the petitioner is entitled for regularization of her post.

4. *Per-contra*, the learned Additional Government Pleader appearing for respondents No.1 to 4 submits that the petitioner was relieved from service on 12.12.2012 and one R.Kayalvizhi was appointed as a permanent teacher in second respondent school within and upon the



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orders of this Court, the Hon'ble Court in WP.No. 3285 of 2011 dated 12.12.2012. He would submit that the petitioner was appointed as a local arrangement and his request for permanent appointment cannot be considered.

5. The learned counsel appearing for the petitioner has relied upon the judgment of the Hon'ble Division Bench of this Court in WA.No. 1463 of 2016 dated 30.10.2017 to show that the Government has passed GO(Ms).No.358, School Education Department dated 18.08.1997 and the Government has directed to impart a short time training for those who do not possess the requisite qualification and thereafter regularized. He would submit that only in the GO(Ms).No.7 School Education Department dated 04.01.2000 alone prescribed the qualification for the post of Vocational Instructor of Computer Science as this petitioner was fully qualified as Vocational Instructor in regular time scale. Further as per GO(Ms).No.35 School Education Department dated 09.02.2007, the Vocational Instructors who were appointed prior to 20.09.1996 and obtained full qualification also will be purviewed under the regular appointment.



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6. This Court has considered the submissions made on either side and perused the available records. Considering the limited prayer sought for in this writ petition, without going into the merits of this case, this Court is inclined to issue a direction to the third respondent to consider the representation submitted by the writ petitioner dated 25.10.2019 on merits and in accordance with law, if there is no legal impediment, within a period of twelve weeks from the date of receipt of copy of this order, it is made clear that this Court has not gone into the merits of the case.

7. In the result, this writ petition stands disposed off. There shall be no order as to costs.

26.03.2025

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



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M.JOTHIRAMAN, J.

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