



W.A(MD)No.121 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A(MD)No.121 of 2021
and
C.M.P(MD)No.292 of 2021

1.The Director,
O/o.Directorate of Elementary Education,
College Road, Chennai.

2.The Joint Director (Private School),
O/o.Joint Directorate of Elementary Education,
College Road, Chennai -600 006.

3.The District Elementary Educational Officer,
Virudhunagar District, Virudhunagar.

4.The Assistant Elementary Educational Officer,
O/o.Assistant Elementary Educational Office,
Rajapalayam,
Virudhunagar District.

... Appellants/Respondents 1 to 4

Vs.

1.Malathi

...1st Respondent/Writ Petitioner



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2.The Secretary,
Saraswathi Primary School,
Puthoor,
Rajapalayam,
Virudhunagar District.

... 2nd Respondent/5th Respondent

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order made in W.P.(MD)No.9871 of 2018 dated 27.04.2018 on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : Mr.R.Arun Kumar (for R1)
for Mr.C.Mayil Vahana Rajendran

JUDGMENT

(Judgment of the Court was made by **DR.ANITA SUMANTH, J.**)

The State has challenged an order dated 27.04.2018.

2.The writ petition was filed seeking a writ of Mandamus directing the Assistant Elementary Educational Officer/R4 to sanction grant-in-aid salary to the writ petitioner as Secondary Grade Assistant, Saraswathi Primary School from 01.07.2016.



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3.Mr.J.Ashok, learned Additional Government Pleader appearing for appellants submits that R1 had been appointed as a Secondary Grade Assistant on and from 01.07.2016. She belongs to the Scheduled Caste Community and had been appointed to a post earmarked for Scheduled Caste (Arunthayiar). Hence, it is his submission that the appointment was itself irregular and was subsequently been cancelled by proceedings dated 23.07.2018. Those proceedings are the subject matter of challenge by R1 in W.P(MD)No.17282 of 2018, which is still pending.

4.Prior to such cancellation, the order impugned in the Writ Petition has been passed on 27.04.2018, directing the fourth respondent to pay salary and all employment benefits to R1.

5.The present Writ Appeal is disposed merely observing that the payment of salary and other employment benefits shall be subject to the result of W.P(MD)No.17282 of 2018. It is to be noted that no stay has been obtained by R1 in W.P(MD)No.17282 of 2018. As pointed out by learned Additional Government Pleader, should that writ petition be allowed, the automatic consequence thereof would be that R1 would be



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entitled to all her service and monetary benefits. No costs. Consequently,
connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
14.10.2025

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

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