



WEB COPY



WP(MD)Nos.24412 of 2025 etc

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.10.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)Nos.24412 to 24415 of 2025 &
WMP (MD).Nos.19155, 19159, 19157 & 19176 of 2025

The Correspondent,
Marist Higher Secondary School,
P.Udayappatti,
Karur District – 639 119.

... Petitioner in all W.Ps.

/vs./

- 1.The Government of Tamil Nadu,
Rep., by its Additional Chief Secretary,
Department of School Education,
Fort St., George, Chennai – 9.
- 2.The Director of School Education,
DPI Campus,
College Road, Chennai – 600 006
- 3.The Chief Educational Officer,
The office of the Chief Educational Officer,
Karur District.
- 4.The District Educational Officer,
The office of the District Educational Officer,
Karur District.

... Respondents in all W.Ps.

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records



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pertaining to the impugned proceedings, dated 17.06.2025 in A.Thi.Mu.Nos.3606, 3607, 3608 & 3609/AA5/2025 on the file of the fourth respondent and quash the same, directing the respondents to accord approval to the appointment of the incumbent, Mr.R.Manickavasagam, working as B.T. Assistant (English), Mrs.V.Devi, working as B.T, Assistant (History), Mrs.Josephine Martinal working as B.T, Assistant (Mathematics), & Br.Antonysamy, working as B.T., Assistant (Tamil) in the petitioner school, Marist Higher Secondary School P.Udayapatti, Karur District, w.e.f., 02.06.2025 and release salary with all monetary and service benefits.

For Petitioner : M/s.Father Xavier Associates
Fr.S.Savarimuthu

For Respondents : Mr.N.Satheeshkumar AGP

COMMON ORDER

This Writ Petition had been filed to quash the impugned proceedings, dated 17.06.2025 in A.Thi.Mu.Nos.3606, 3607, 3608 & 3609/AA5/2025 passed by the fourth respondent and directing the respondents to accord approval to the appointment of the incumbent, Mr.R.Manickavasagam, working as B.T. Assistant (English), Mrs.V.Devi, working as B.T, Assistant (History), Mrs.Josephine Martinal working as B.T, Assistant (Mathematics), & Br.Antonysamy, working as



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B.T., Assistant (Tamil) in the petitioner school, Marist Higher Secondary School

P.Udayapatti, Karur District, w.e.f., 02.06.2025 and release salary with all monetary and service benefits.

2. Heard Fr.S.Savarimuthu, learned counsel appearing for the petitioners, Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents.

3. The proposals of the petitioner for approval of appointment of B.T.Assistant Teachers had been returned indicating that even though the vacancy could be filled up by the petitioner's school, as various cases with regard to grant of approval are pending before this Court, the proposal could only be considered after the disposal of the said cases and after getting necessary instructions from the Director of School Education only approvals could be granted.

4. Having admitted that the vacancy, that had arisen in a school which it is eligible to be fill up, awaiting for decisions of pending approval cases is a reason that seems to have been invented by the second respondent, who is not even the authority to grant approval. It is only the second respondent, who would have to



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take a call on the proposal submitted by the school management. The third respondent is only a nodal officer to receive the proposal to be forwarded to the second respondent for his consideration. Considering the fact that the said vacancies could be filled up by the petitioner management by taking into note the interest of the students, as the failure to fill up a vacancy in the sanctioned post would only affect the interest of the students, which is protected under Article 21A of the Constitution of India.

5. In view of the aforesaid reason, the impugned order is set aside and the Writ Petitions stand allowed. The petitioner management is directed to resubmit the proposal to the third respondent, who shall consider the said application on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

07.10.2025

Index : Yes / No
Internet : Yes / No
Pbn



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K.KUMARESH BABU, J.

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Order made in
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