



WP(MD). No.24356 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28/10/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.24356 of 2025

and

W.M.P(MD).Nos.19112 and 19113 of 2025

K.J.East Muslim Higher Secon,
Represented by its Correspondent Mr.N.Shahjahan,
Paramakudi,
Ramanathapuram District.

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of School Education,
Fort St.George,
Chennai - 600009..
2. The Director of School Education,
College Road,
Chennai - 600006..
3. The Joint Director of School Education(Secondary Education),
DPI Campus,
College Road,
Chennai – 600006..
4. The Chief Educational Officer,
Chief Educational Office,
Ramanathapuram,
Ramnad District..



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5. The District Educational Officer(Secondary Education),
District Education Office,
Ramanathapuram,
Ramnad-District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the fourth respondent in Na.Ka.No.579/AA6/2023 dated 14.06.2025 and consequential order passed by the fifth respondent in his proceedings Moo.Mu.2013/AA4/2025 dated 01.07.2025 and quash the same and consequently direct the respondents to approve the appointment of Tamil Pandit Mrs.P.Revathi with effect from 16.08.2018 and to release the staff grant for making the payment of salary to the Tamil pandit and continue to release the staff grant.

For Petitioner : Mr.K.Vadivelu,
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The present Writ Petition has been filed for a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the fourth respondent in Na.Ka.No.579/AA6/2023 dated 14.06.2025 and consequential order passed by the fifth respondent in his proceedings



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Moo.Mu.2013/AA4/2025 dated 01.07.2025 and quash the same and consequently direct the respondents to approve the appointment of Tamil Pandit Mrs.P.Revathi with effect from 16.08.2018 and to release the staff grant for making the payment of salary to the Tamil pandit and continue to release the staff grant.

2. The approval proposal sent by the petitioner institution for appointment to the post of BT Tamil pandit had been rejected on the ground that the earlier incumbent, who had been removed from service, had challenged the same before this Court and this Court directed him to file an appeal before the appropriate authority and the said order was also affirmed by the Honourable Division Bench of this Court. Thereafter the removal of the said incumbent was held to be bad and orders have been passed in that regard. The same order was also challenged by the petitioner's school, in which this Court set aside the order and remitted the matter back to the respondents to reconsider the issue, at the instance of the petitioner herein.



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3. It is to be noted that the incumbent who had challenged the order of his removal, attained the age of superannuation on 31.01.2018. This fact has not been disputed by the head of the department. When that be so, on the date of his superannuation, a sanctioned post of BT Tamil pandit become vacant and the petitioner school is entitled to appoint a new person beyond the period of 31.01.2018. Admittedly, the petitioner had been appointed to the said vacancy on 16.08.2018. In view of the same, the reason attributed is unsustainable, because even if the incumbent were to succeed in his appeal before Joint Director, he would be entitled to continued in service till the date of his superannuation and not beyond the said period. Since the petitioner was appointed as BT Tamil Pandit, after the date of the incumbent's superannuation, the rejection cannot be sustained.

4. In view of the above, the respondents are directed to consider the proposal sent by the petitioner school without reference to the pendency of the appeal filed by the then incumbent and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.



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5. This writ petition is allowed and the impugned order is set aside and the respondents are directed to comply with the direction indicated supra. No Costs. Consequently connected miscellaneous petitions are closed.

28.10.2025

TTA

TO

1. The Secretary to Government,
Department of School Education,
Fort St.George,
Chennai - 600009..
2. The Director of School Education,
College Road,
Chennai - 600006..
3. The Joint Director of School Education(Secondary Education),
DPI Campus,
College Road,
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4. The Chief Educational Officer,
Chief Educational Office,
Ramanathapuram,
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5. The District Educational Officer(Secondary Education),
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K.KUMARESH BABU,J

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**ORDER
IN
WP(MD) No.24356 of 2025**

Date : 28/10/2025