



**W.P(MD)Nos.29647 of 2024 and 22772 of 2025**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.08.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P(MD)Nos.29647 of 2024 and 22772 of 2025**

**and**

**WMP (MD) Nos.25030 of 2024 and 6414 & 17836 of 2025**

J.K.Suriyanath

... Petitioner  
(in both Writ Petitions)

vs.

1. The Joint Director (Vocational),  
Directorate of School Education,  
D.P.I.Compound, College Road,  
Chennai - 6.

2. The Chief Educational Officer,  
Madurai District,  
Tallakulam, Madurai.

3. The District Educational Officer,  
Melur Educational District,  
Melur,  
Madurai District.

4. The Correspondent,  
Sourashtra Higher Secondary School,  
110, Kamarajar Salai,  
Madurai – 09.

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5. The Head Master,  
Sourashtra Higher Secondary School,  
110, Kamarajar Salai,  
Madurai - 09.

... Respondents  
(in both Writ Petitions)

**PRAYER in WP(MD) No.29647 of 2024:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned Relieving order in Ref. No. 156 of 2024 dated 19.09.2024 passed by the 4th Respondent and quash the same as illegal and consequently direct the Respondents to reinstate the petitioner in service with all notional benefits.

**PRAYER in WP(MD) No.22772 of 2025:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to release the petitioner's salary and all attendant monitory benefits for the period from 01.09.2024 till date based on the Petitioner representation dated 21.07.2025 along with interest and within the time period stipulated by this Court.

For Petitioner : Mr.S.Pon Saravanan  
in WP(MD) No.29647/2024  
Mr.S.Sankarapandian  
in WP(MD) No.22772/2025

For R1 to R3 : Mr.M.Siddharthan  
Additional Government Pleader  
in WP(MD) No.29647/2024  
Mr.S.Vinoth  
Government Advocate



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For R4 & R5

in WP(MD) No.22772/2025  
: Ms.A.Amala  
(in both Writ Petitions)

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### **COMMON ORDER**

These writ petitions have been filed challenging the relieving order dated 19.09.2024, passed by the fourth respondent and consequently, to direct the respondents to reinstate the petitioner in service with all notional benefits. Furthermore, the petitioner prays for a direction to the respondents to release the petitioner's salary and all attendant monetary benefits for the period from 01.09.2024 till date based on the Petitioner representation dated 21.07.2025 along with interest.

2. The case of the petitioner is that the petitioner, a duly appointed Vocational Instructor at Sourashtra Higher Secondary School, Madurai, has been subjected to sustained administrative apathy and blatant non-compliance with judicial directives. Despite being appointed to a sanctioned post in 2002 and successfully completing the probation period, the petitioner's service regularization was unjustly delayed, compelling multiple rounds of litigation. Notably, this Court, in W.P. (MD) Nos. 5192 and 2006 of 2023, issued a clear and



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binding direction on 19.06.2024, mandating regularization with all attendant benefits to the petitioner. However, in willful disobedience of the said order, the respondents not only failed to implement it but allegedly coerced the petitioner into signing a voluntary retirement letter under duress, thereby unlawfully terminating the petitioner's service, which constitutes a gross violation of the principles of natural justice. Despite the petitioner's subsequent representation seeking reinstatement and compliance with this Court's directive, no remedial action has been taken by the respondents. Hence, the petitioner is constrained to file these writ petitions, seeking reinstatement and the consequential benefits legally due to them.

3. The learned counsel for the petitioner submits that the petitioner was initially appointed as a Vocational Instructor under consolidated pay at Sourashtra Higher Secondary School, Madurai, on 16.10.1996, in the regular sanctioned vacancy. Although he had been discharging his duties diligently, his services were never regularized despite repeated efforts. The petitioner filed W.P. (MD) No.7042 of 2017 to direct the first respondent to pass appropriate orders on the proposal sent by the second respondent vide Na.Ka.No.14561/Aa6/2012 dated



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05.12.2013. In the meantime, due to the failure of the authorities to comply with earlier directions of this Court, the petitioner filed a contempt petition in Cont.P. (MD) No.1370 of 2021. Thereafter, a proposal recommending his regularization was submitted by the Chief Educational Officer, Madurai, but was unfortunately rejected by the first respondent, through proceedings in Na.Ka.No. 25543/V1/E3/2021, dated 21.10.2021. Aggrieved by the said rejection order, the petitioner approached this Court by filing WP(MD) No.2006 of 2023.

4. Meanwhile, the third respondent, stopped the grant-in-aid that was being paid to the petitioner, through proceedings in Na.Ka.No.8172/A1/2022, dated 17.02.2023. The said order was also challenged by the petitioner in WP(MD) No.5192 of 2023. Both writ petitions were heard together and disposed of by this Court on 19.06.2024 through a common order. The Court set aside both impugned orders and directed the first respondent to approve the petitioner's appointment and regularize his service from the date of his original appointment to the sanctioned post, *i.e.*, 24.10.2002, along with all attendant monetary benefits, subject to the result of any pending Special Leave Petition (SLP) on the matter. However, the learned counsel submits that instead of implementing the



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directions of the Court, the petitioner was coerced into signing an undated and involuntary Voluntary Retirement (VRS) letter, as if he was produced a fabricated certificate by making correction in the date of birth of the Government record. Based on this, a relieving order was issued on 19.09.2024, recording the petitioner's date of birth as 15.06.1966, effectively ending his employment. The petitioner firmly denies having submitted such a request voluntarily. Having fought tirelessly for over a decade for the recognition and regularization of his rightful service and finally having succeeded, there was absolutely no reason for him to suddenly opt for voluntary retirement.

5. The learned counsel for the petitioner would further submit that the alleged VRS letter was obtained under duress and is a clear attempt to circumvent the directions of this Court. Further, following the issuance of the relieving order, at the behest of the Government, the School Management has taken a disciplinary action and initiated criminal proceedings against the petitioner. Accordingly, he prayed to allow the writ petition.



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6. This Court, despite granting several opportunities to the respondents 1 to 3, no counter-affidavit has been filed by them till date. It is also significant to note here that the earlier impugned order was passed, by rejecting the representation of the petitioner, only after the petitioner initiated the contempt proceedings.

7. On the other hand, the learned counsel appearing on behalf of the respondents 4 and 5, by circulating a written submission dated 26.08.2025 submitted that, it was only at the instance of the Government, the School Management was compelled to take disciplinary action as well as initiate criminal proceedings against the petitioner. The learned counsel further submitted that if the petitioner is entitled to grant-in-aid from the Government even after 15.06.2024, the School has no objection to forward his proposal to the Government to sanction grant towards his salary. However, she emphasized that the School Management should not, under any circumstances, be penalized by the Government for claiming grant towards the petitioner's salary after 15.06.2024.



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8. Heard the learned counsel for the parties and perused the materials available on record.

9. A careful consideration of the materials placed on record and the submissions of both parties, this Court finds that the petitioner has been subjected to a series of unjust and *mala fide* actions on the part of the official respondents and the School Management. Despite clear directions from this Court in the earlier proceedings to regularize the petitioner's services and extend all attendant monetary benefits, the respondents have failed to comply. Instead, they have sought to circumvent the Court's order by coercing the petitioner into signing an involuntary and undated Voluntary Retirement (VRS) letter, followed by the issuance of a relieving order dated 19.09.2024. It is also pertinent to observe that the alleged discrepancy in the petitioner's educational certificate, which appears to have been used as a ground for disciplinary and criminal proceedings, was neither independently verified by the fifth respondent School nor by the official respondents 1 to 3. There is no material on record to show that any preliminary inquiry or verification was conducted before initiating such serious action. This,



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coupled with the timing of the disciplinary proceedings, clearly indicates a *mala fide* intention to dilute and defeat the petitioner's rightful claim, which had already been recognized and upheld by this Court. Such an approach by the respondents not only undermines the petitioner's accrued rights but also reflects a deliberate attempt to avoid compliance with the judicial mandate, which cannot be countenanced by this Court. Accordingly, the impugned relieving order dated 19.09.2024, passed by the fourth respondent is hereby set aside.

10. In the result, these writ petitions are allowed with the following directions:

10.1. The respondents 1 to 3 are directed to reinstate the petitioner into service forthwith, with continuity of service and all notional benefits and other service-related entitlements.

10.2. The respondents are further directed to release the petitioner's salary and all attendant monetary benefits for the period from 01.09.2024 till date, based on the petitioner's representation dated 21.07.2025.

10.3. The fifth respondent School is directed not to take any action as against the petitioner till his retirement in relation to the alleged discrepancy in



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WEB COPY his educational documents until his retirement.

10.4. It is made clear that the respondents 4 and 5 shall not be penalized for forwarding or facilitating the release of the petitioner's salary and grant-in-aid claims for the said period, provided the entitlement is recognized by the Government.

There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

**28.08.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
PKN



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**M.DHANDAPANI,J.**

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**ORDER MADE IN  
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**DATED : 28.08.2025**