



W.P.(MD).No.26556 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.26556 of 2025

R.Mercy Kavitha

...Petitioner

Vs

1.The District Educational Officer (Elementary),
Tirunelveli District.

2. The Block Educational Officer,
Palayamkottai,
Tirunelveli District.

3. The Correspondent,
T.D.T.A Primary School,
Burkitmanager,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of Writ, calling for the records pertaining to the order passed by the 1st respondent in his proceedings in Na.Ka.No. 792/A2/2023 dated 22.07.2024 in so far as denial of approval from 01.10.2019 to 19.04.2023 and quash the same and direct the respondents to approve the appointment of the petitioner as Secondary Grade Teacher from the date of appointment i.e from 01.10.2019 with salary and all other consequential benefits and pass such further or other orders as may deem fit and thus render justice.



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For Petitioner : M/s.V.Panneer Selvam

For Respondents : M/s.N.Satheesh Kumar,
Additional Government Pleader

ORDER

This writ petition is filed challenging the order passed by the 1st respondent in his proceedings in Na.Ka.No.792/A2/2023 dated 22.07.2024 and seeking consequential direction to the respondents to approve the appointment of the petitioner as Secondary Grade Teacher from the date of appointment i.e from 01.10.2019 with salary and all other consequential benefits.

2. It is not disputed that the petitioner had been appointed on 01.10.2019, when the concept of corporate/ joint management surplus has not been envisaged except by a circular issued by the Joint Director which had not force of law. The Corporate/joint Management Surplus for which guidelines were framed was made by the judgment of this Court in W.A.(MD).No.76 of 2019 etc., batch on 31.03.2021 had been held to be only prospective.



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3. In view of the same, the impugned order on the premise that there was Corporate Management Surplus at the time when the petitioner was appointed cannot hold good for approving her appointment only from the subsequent date namely on which the Corporate Management teachers were all deployed.

4. For the aforesaid reasonings, the Writ Petition stands allowed and the respondents are directed to approve the appointment of the petitioner from the date of her appointment ie., 01.10.2019 and such exercise shall be carried out by the first respondent within a period of eight (8) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

12.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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K.KUMARESH BABU, J.

gvn

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