



WP(MD). No.27424 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 03/11/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.27424 of 2025

and

WMP(MD)No.21355 of 2025

A.Maria Antony Ratnam

... Petitioner

Vs

1. The Chief Educational Officer,
O/o.The Chief Education Officer,
Thoothukudi District.

2. The District Educational Officer(Elementary),
Kovilpatti, Thoothukudi District.

3. The Block Educational Officer,
Kovilpatti, Thoothukudi District.

4. The Correspondent,
RC Elementary School, Kovilpatti
Thoothukudi 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 pertaining to the impugned order in Mu.Mu.No. 1741/A2/2024 dated 09.07.2024 on the file of the Respondent No.2 and quash the same as illegal in so far as not granting of approval of appointment from the date of initial appointment i.e.20.11.2019 and

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consequently direct the 2nd respondent to revise the appointment approval with effect from 20.11.2019 and provide arrears of the salary and other consequential monetary benefits to the petitioner.

For Petitioner : Mr. T.Aswin Raja Simman,
Advocate.

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The petitioner herein was appointed on 20.11.2019 as Secondary Grade Teacher in a permanent sanctioned vacancy. However, the proposal sent by the fourth respondent school was considered by the second respondent and her appointment was approved only from 01.03.2024 by indicating that the corporation management of the fourth respondent school had redeployed all the surplus teachers only during the academic year 2018-2019.

2. It is not disputed that the petitioner had been appointed on 20.11.2019, when the concept of corporate / joint management surplus has not been envisaged except by a circular issued by the Joint Director which had no force of law. The Joint / Corporate Management Surplus for which guidelines were framed was made by the judgment of this



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Court in W.A(MD)No.76 of 2019 etc., batch on 31.03.2021 which had been held to be only prospective.

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., 20.11.2019 and such exercise shall be carried out by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition stands closed.

03.11.2025

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

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K.KUMARESH BABU, J.

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