



WEB COPY



WP(MD)No.28209 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.10.2025**

CORAM:

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

W.P.(MD)No.28209 of 2025 &
WMP.(MD).No.21928 of 2025

A.Kavitha Antony

... Petitioner

/vs./

1.The Chief Educational Officer,
Tenkasi District.

2.The District Educational Officer (Secondary)
Tenkasi, Tenkasi District.

3.The Correspondent,
St.Joseph's High School,
Vaikalipatti, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent in his proceedings in Na.Ka.No. 1420(2)/A2/2025, dated 20.06.2025 in so far as denial of approval from 04.04.2024 to 19.09.2024 and quash the same and direct the respondents to approve the appointment of the petitioner as B.T. Assistant (English) from the date of appointment I.e., from 04.04.2024 with salary and all other consequential benefits and pass such further orders.

For Petitioner : Mr.V.Panneer Selvam



WP(MD)No.28209 of 2025

For Respondents : Mr.N.Satheesh Kumar AGP for RR1 & R2

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ORDER

This Writ Petition had been filed to quash the order passed by the first respondent, dated 20.06.2025 in so far as denial of approval from 04.04.2024 to 19.09.2024 and direct the respondents to approve the appointment of the petitioner as B.T. Assistant (English) from the date of appointment I.e., from 04.04.2024 with salary and all other consequential benefits.

2. Under the orders impugned herein, the petitioner's appointment had been approved by the respondent from 20.09.2024 from the date of upgradation of the Secondary Grade Teacher to B.T. Assistant. The upgradation of a post of Secondary Grade Teacher as B.T. Assistant had been held to be automatic and it does not require permission of the authorities to fill up such vacancies. A Division Bench of this Court affirming a judgment of a learned Single Judge made in W.P.(MD).No.15506 of 2021 had categorically held that by application of G.O.Ms.No.79, dated 14.06.2002, such upgradation is automatic and an approval require is superfluous. Applying the said judgment of the Hon'ble Division Bench, the refusal to grant approval from the date on which the petitioner was appointed as B.T. Assistant from 04.04.2024, is wholly improper.



WP(MD)No.28209 of 2025

For the aforesaid reasons, the Writ Petition is allowed and the impugned order herein is set aside. The respondents are directed to approve the appointment of the petitioner from 04.04.2024, i.e., the date of her actual appointment as B.T. Assistant. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is also closed.

24.10.2025

Index : Yes / No
Internet : Yes / No
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To

- 1.The Chief Educational Officer,
Tenkasi District.
- 2.The District Educational Officer (Secondary)
Tenkasi, Tenkasi District.



WEB COPY



WP(MD)No.28209 of 2025

K.KUMARESH BABU, J.

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Order made in
W.P.(MD)No.28209 of 2025 &
WMP.(MD).No.21928 of 2025

24.10.2025