



WP(MD). No.29242 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/11/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.29242 of 2025

and

WMP(MD)No.22605 of 2025

Syed Ammal Higher Secondary School,
represented through its
Correspondent,
Ramanathapuram,
Ramanathapuram District.

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
School Education Department,
Fort.St.George, Secretariat, Chennai - 600 009.

2. The Director of School Education,
DPI Campus, Nungampakkam,
College Road, Chennai-6.

3. The Chief Educational Officer,
O/o. the Chief Educational Office,
Ramanathapuram District,
Ramanathapuram.

4. The District Educational Officer (Secondary),
O/o. the District Educational Office,
Ramanathapuram, Ramanathapuram District.

... Respondents



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PRAYER :-

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Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus to direct the 3rd Respondent to approve the appointment of Mr.S.Bhoominathan as Office Assistant w.e.f. the date of appointment i.e., 02.05.2024 with all other consequential monetary and service benefits in pursuant to the proposal forwarded by the Petitioners school to the 3rd Respondent vide proceedings dated 25.09.2024 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Mohamed Zamil
for M/s.Ajmal Associates,

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

ORDER

This Writ Petition is filed to issue a Writ of Mandamus to direct the 3rd Respondent to approve the appointment of Mr.S.Bhoominathan as Office Assistant w.e.f. the date of appointment i.e., 02.05.2024 with all other consequential monetary and service benefits in pursuant to the proposal forwarded by the Petitioners school to the 3rd Respondent vide proceedings dated 25.09.2024 within the period that may be stipulated by this Court.



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2. Learned counsel for the petitioner would submit that the petitioner's school had appointed an office assistant on 02.05.2024 in a sanctioned vacancy. A proposal had been sent seeking approval which was returned by the fourth respondent and the same had also been resubmitted on 29.08.2024. Even thereafter, no action was initiated. The apprehension of the petitioner is that the respondent quoting G.O.Ms.No. 238, School Education Department, dated 13.11.2018, will hold that in view of the surplus vacancies in other schools, the respondent may not approve the appointment of the Office Assistant made by the petitioner. He would submit that the petitioner's school has a student strength of about 2628 in both Tamil and English Medium and that the G.O.Ms.No. 238 would not be applicable to the petitioner's school, as the same would related to a school with less than student strength of 250 students. Therefore, he prays this Court to grant direction to the respondents 3 and 4 to grant approval to the petitioner school in the appointment of the Office Assistant namely S. Boominathan.



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3. Countering his argument, Mr.N.Satheesh Kumar, learned Additional Government Pleader would submit that the apprehension of the petitioner is wholly ill-founded. The petitioner's proposal had been returned for certain clarifications and if it is submitted the same would be considered as per the relevant provisions and Government Orders. Therefore, the apprehension of the petitioner need not be a basis for considering the claim of the petitioner.

4. I have considered the submissions made by the learned counsel on either side.

5. Admittedly, the petitioner school has a strength of more than 2500 students. Therefore, they are entitled to have an office assistant which is also a sanctioned post in the petitioner's school. In view of the same, there shall be a direction to the respondent to consider the proposal of the petitioner submitted for approval of the Office Assistant who had been appointed on 02.05.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that since the petitioner



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school students strength is more than 250, even if the validity of Government order, be held, there is no impediment in appointing an office assistant in the petitioner's school. Hence, the Government order is not applicable to the case of the petitioner.

6. With the above direction, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition stands closed.

06.11.2025

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

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To

1. The Principal Secretary to Government, School Education Department,
Fort.St.George, Secretariat, Chennai - 600 009.

2. The Director of School Education, DPI Campus, Nungampakkam,
College Road, Chennai-6.

3. The Chief Educational Officer, O/o. the Chief Educational Office,
Ramanathapuram District, Ramanathapuram.

4. The District Educational Officer (Secondary),
O/o. the District Educational Office,
Ramanathapuram, Ramanathapuram District.

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K.KUMARESH BABU, J

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