



W.P.(MD).No.29076 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.29076 of 2025

and

W.M.P(MD)No.22535 of 2025

S.Uma Sankari

...Petitioner

Vs

- 1.The Chief Educational Officer,
Office of the Chief Educational Officer,
Madurai.
- 2.The District Educational Officer (Secondary),
Office of the District Educational Officer,
Madurai,
Madurai District.
- 3.The Secretary,
Savithabai (Kovai) Higher Secondary School,
Thirunagar,
Madurai District - 625 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in Na.Ka.No. 5150/A5/2024 dated 09.01.2025 and consequential letter sent by the second respondent to the third respondent in Na.Ka.No.1209/A4/2023 dated 16.04.2025 and quash the same and consequently direct the



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respondents 1 and 2 to approve the appointment of petitioner PG Assistant in Physics in the third respondent school with effect from 30.01.2023 with all consequential monetary and service benefits.

For Petitioner : Mr.V.R.Shanmuganathan

For R1 & R2 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus, to call for the records of the first respondent in Na.Ka.No. 5150/A5/2024 dated 09.01.2025 and consequential letter sent by the second respondent to the third respondent in Na.Ka.No.1209/A4/2023 dated 16.04.2025 and quash the same and consequently direct the respondents 1 and 2 to approve the appointment of petitioner PG Assistant in Physics in the third respondent school with effect from 30.01.2023 with all consequential monetary and service benefits.

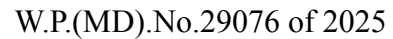
2. The petitioner was appointed as P.G.Assistant in the third respondent School on 30.01.2023 and the proposal for approval submitted by the third respondent was returned by holding that on the date of the appointment of the petitioner, the School was direct payment.



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It is to be noted that the Division Bench of this Court has already held that the direct payment of the school cannot disentitle the school committee, which manages the School, from making appointments. Such view has been followed by this Court also.

3. It is further to be noted that similarly placed person, who was appointed on the very same day had approached this Court in W.P(MD)No.15063 of 2024, wherein, a similar order was passed. This Court had set aside the impugned order and directed the third respondent to resubmit the proposal seeking approval of the petitioner's appointment. On receipt of the same, the Chief Educational Officer was directed to consider the proposal on merits and pass appropriate orders. Against the same, an intra Court appeal had been preferred by the authorities and the same was dismissed and the attempt to review has also got failed. Thereafter, the proposal resubmitted by the third respondent management was also approved by the Chief Educational Officer. In view of the aforesaid legal proceedings, this Court is of the view that the same can also be applied to the facts of the present case.



5. In such view of the matter, the impugned order is set aside and the third respondent school is directed to resubmit the proposal seeking approval of the petitioner's appointment within a period of two weeks from the date of receipt of a copy of this order seeking approval of the petitioner's appointments. On receipt of the same, the first respondent is directed to consider the same on merits and in accordance with law and pass appropriate orders within a period of four weeks thereafter.

6. The writ petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

19.11.2025

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



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To:

- 1.The Chief Educational Officer,
Office of the Chief Educational Officer,
Madurai.
- 2.The District Educational Officer (Secondary),
Office of the District Educational Officer,
Madurai,
Madurai District.



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K.KUMARESH BABU, J.

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