



W.P.(MD).No.29545 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.29545 of 2025

and

WMP(MD).Nos.22852 & 22853 of 2025

J.Gnana Suganthi

...Petitioner

Vs

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

2. The Director of School Education,
O/o.The Director of School Education,
DPI Campus,
Chennai.

3. The Chief Educational Officer,
O/o.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

4. The District Educational Officer (Elementary)
O/o.The District Educational Officer,
Tirunelveli,
Tirunelveli District.



W.P.(MD).No.29545 of 2025

5. The Block Educational Officer,
Palayamkottai (Urban),
Tirunelveli District.

6. The Correspondent
Loyola Convent Primary School,
Palayamkottai,
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, calling for the records relating to the impugned Order passed by the 4th Respondent vide his proceedings in O.Mu. No. 2587/A5/2025 dated 16.07.2025 and consequential impugned Order passed by the 5th Respondent vide his proceedings in Na.Ka. No. 962/A1/2025 dated 15.09.2025 and quash the same as illegal and consequently direct the 4th Respondent to approve the appointment of the Petitioner as Secondary Grade Teacher (English) with effect from 12.11.2019 with all other service and monetary benefits and disburse the same, within the stipulated period fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : M/s. M. Mohamed Zamil

For Respondents : M/s.N.Satheesh Kumar,
Additional Government Pleader
For R1 to R5



W.P.(MD).No.29545 of 2025

ORDER

WEB COPY

This writ petition is filed challenging the Order passed by the 4th Respondent vide his proceedings in O.Mu. No.2587/A5/2025 dated 16.07.2025 and consequential impugned Order passed by the 5th Respondent vide his proceedings in Na.Ka. No.962/A1/2025 dated 15.09.2025 and seeking consequential direction to the 4th Respondent to approve the appointment of the Petitioner as Secondary Grade Teacher (English) with effect from 12.11.2019 with all other service and monetary benefits and disburse the same.

2. The learned Counsel appearing for the petitioner would submit that the 6th respondent institution is a recognized religious minority institution. He would further submit that a vacancy had arisen in a sanctioned post due to the retirement of the then incumbent in the post of the Secondary Grade Teacher. Such vacancy had arisen on 31.07.2019 which had led to the appointment of the petitioner as Secondary Grade Teacher with effect from 12.11.2019. The petitioner is a fully qualified teacher and the vacancy arisen in the said school is a sanctioned post. The 6th respondent school had submitted a proposal to the respondents for approval of the appointment of the petitioner and the same was



W.P.(MD).No.29545 of 2025

returned by stating reason that approval of the appointment of the petitioner can be considered only if there are no surplus teacher working in the other school in the same corporate management.

3. I have carefully considered the submissions made by the learned Counsels appearing on either side and perused the material available on record.

4. This court had already dealt with the similar issue in W.P. (MD).No.25712 of 2024 dated 14.10.2025. The only distinction in the present case is that the person who had been appointed as Secondary Grade Teacher did not possess the qualification of TET. In respect of the teachers who do not possess the TET and who are appointed before 13.01.2023 had been appointed as a teacher prior to the said cut off date. In view of the same, this Court is of the view that the said order would be applicable to the present facts of the case. It is further to be noted that there is no dispute that there is no surplus in the school or any other school within the corporate management of which the 6th respondent's school belongs.



W.P.(MD).No.29545 of 2025

WEB COPY 5. In such view of the matter, the writ petition stands disposed of with the following directions:

“a) The respondents shall grant in-principle approval of the proposal sent by the 6th respondent institution for the appointment of the petitioner as Secondary Grade Teacher (English).

b) Such approval shall be subject to the orders to be made by the Hon'ble Apex Court.

c) On grant of approval, the petitioner would be entitled for the sanctioned salary from the date of this order and if the qualification is held into favour of the petitioner by the Hon'ble Apex Court, then the approval should revert back to the date of appointment of the said Secondary Grade Teacher and the arrears of salary from the date of appointment till the date of this order shall be paid by the respondents, within a period of four (4) weeks of the order passed by the Hon'ble Apex Court.”



W.P.(MD).No.29545 of 2025

6. With the above directions, the writ petition stands disposed of,

there shall be no order as to costs. Consequently, connected

Miscellaneous Petitions are closed.

11.11.2025

2/2

NCC:yes/no

Index:yes/no

Internet:yes/no

gvn



W.P.(MD).No.29545 of 2025

WEB COPY **To:**

1. The State of Tamil Nadu
Rep. by its Principal Secretary,
School Education Department,
Secretariat,
St.George Fort,
Chennai - 600 009.
2. The Director of School Education,
O/o.The Director of School Education,
DPI Campus,
Chennai.
3. The Chief Educational Officer
O/o.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.
4. The District Educational Officer (Elementary)
O/o.The District Educational Officer,
Tirunelveli,
Tirunelveli District.
5. The Block Educational Officer
Palayamkottai (Urban),
Tirunelveli District.
6. The Correspondent
Loyola Convent Primary School,
Palayamkottai,
Tirunelveli District.



WEB COPY



W.P.(MD).No.29545 of 2025

K.KUMARESH BABU, J.
gvn

W.P.(MD).No.29545 of 2025

11.11.2025
2/2