



WP(MD). No.30102 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26/11/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

**WP(MD). No.30102 of 2025
and
W.M.P(MD).No.23284 of 2025**

C.Caroline Saratha Rani,

... Petitioner

Vs

1. The Government of Tamil Nadu,
Rep by its Additional Chief Secretary,
Department of School Education,
Fort St. George,
Chennai -9.
 2. The Director of Elementary Education,
Dpi Campus,
College Road,
Chennai -6.
 3. The District Elementary Educational Officer,
The Office of the District Elementary Educational Officer,
Tiruchirappalli District..
 4. The Additional Elementary Educational Officer,
the Office of the District Educational Officer,
Tiruchirappalli District..
 5. The Correspondent,,
St.Philomina Primary School, Aniyapur,
Manapparai Taluk,
Trichy District - 621 307..
- ... Respondents



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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 pertaining to the impugned proceedings, dated 26.09.2025, in Moo.Mu.No.507/AA3/2022, on the file of the 3rd respondent, and quash the same in respect of the petitioner, directing the respondents to approve the appointment of the petitioner C.Caroline Saratha Rani, working as Secondary Grade Teacher, in St.Philomina Primary School, Aniyapur, Manapparai Taluk, Trichy District-621 307, w.e.f.03.08.2015, with all service benefits.

For Petitioner : FR.S.Savarimuthu
For R1 to R4 : Mr.N.Satheesh Kumar
Additional Governance Pleader

ORDER

This writ petition is filed challenging the impugned proceedings dated 26.09.2025, in Moo.Mu.No.507/AA3/2022, on the file of the 3rd respondent, and quash the same in respect of the petitioner, directing the respondents to approve the appointment of the petitioner C.Caroline Saratha Rani, working as Secondary Grade Teacher, in St.Philomina Primary School, Aniyapur, Manapparai Taluk, Trichy District-621 307, w.e.f.03.08.2015, with all service benefits.



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

3. The learned Counsel appearing for the petitioner would submit that the 5th respondent institution is a recognized minority institution. He would further submit that a vacancy had arisen in a sanctioned post due to the promotion of Mr.P.Ignacymuthu in the post of the Secondary Grade Teacher. Such vacancy had arisen on 01.06.2012 which had led to the appointment of the petitioner as Secondary Grade Teacher with effect from 03.08.2015. The petitioner is a fully qualified teacher and the vacancy arisen in the said school is a sanctioned post. The 5th respondent school had submitted a proposal to the respondents for approval of the appointment of the petitioner and the same was returned by stating reason that there are surplus in the Corporate Management.

4. Admittedly, in this case, the petitioner was appointed on 03.08.2015, that is before the judgement rendered by the Division Bench in WA.(MD).No.76 of 2019. The concept of Corporate/Joint



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management surplus was envisaged by the Hon'ble Division Bench of this Court in W.A.(MD).No.76 of 2019 by order dated 31.03.2021. By subsequent judgement of another Division Bench in W.A.(MD).No.1557 of 2023 dated 21.09.2023, had held that the the judgment of the Division Bench made in W.A.(MD).No.76 of 2019 to be prospective. The issue arose before this Court in view of the judgement of the subsequent Division Bench holding that the judgement of the Division Bench in WA(MD).No.76 of 2019 was retrospective. This court in W.P.(MD).No. 25712 of 2024 dated 14.10.2025 had held that the subsequent Division Bench holding that the Division Bench judgement in WA.(MD).No.76 of 2019 etc., batch cases to be retrospective as bad in law for the reasons indicated therein. Admittedly, the petitioner possessed the qualification of TET.

5. In such view of the matter, the writ petition stands allowed and the fourth respondent shall grant in-principle approval of the proposal sent by the 5th respondent for the appointment of the petitioner as Secondary Grade Teacher from the date of her initial appointment and grant her all monetary and other service benefits within a period of 12



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weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.11.2025

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TO

1. The Additional Chief Secretary,
Department of School Education,
Fort St. George,
Chennai -9.
2. The Director of Elementary Education,
Dpi Campus,
College Road,
Chennai -6.
3. The District Elementary Educational Officer,
The Office of the District Elementary Educational Officer,
Tiruchirappalli District..
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5. The Correspondent,,
St.Philomina Primary School, Aniyapur,
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Trichy District - 621 307..



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K.KUMARESH BABU,J

TTA

**ORDER
IN
WP(MD) No.30102 of 2025**

Date : 26/11/2025