



W.P.(MD).No.31241 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.31241 of 2025

and

W.M.P(MD)No.24453 of 2025

S.Victoria

...Petitioner

Vs

1.The Chief Educational Officer,
Tuticorin District.

2.The District Educational Officer (Secondary),
Kovilpatti,
Tuticorin District.

3.The Correspondent,
St.Joesph Higher Secondary School,
Kovilpatti, Tuticorin 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 pertaining to the orders passed by the second respondent in his proceedings in Aa.Thi.Mu.No.1443/A1/2024 dated 10.06.2024 and quash the same and direct the respondents to approve the appointment of the petitioner as B.T.Assistant(Social Science) from the date of appointment i.e., 08.04.2024 with all other consequential benefits.



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For Petitioner : Mr.V.Arockiyam
For R1 & R2 : Mr.N.Satheesh Kumar
Additional Government Pleader
For R3 : Mr.V.Panneerselvam

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus, calling for the records pertaining to the orders passed by the second respondent in his proceedings in Aa.Thi.Mu.No.1443/A1/2024 dated 10.06.2024 and quash the same and direct the respondents to approve the appointment of the petitioner as B.T.Assistant(Social Science) from the date of appointment i.e., 08.04.2024 with all other consequential benefits.

2.The proposal submitted by the third respondent school was returned on the ground that the post of Secondary Grade Teacher had not been upgraded as B.T.Assistant. This Court had repeatedly held that in a sanctioned post, there need not be any prior approval for upgradation. This decision was laid down by the Division Bench of this Court as early as in the year 2014 and has been consistently followed by this Court.



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3. In view of the same, the reasons assigned by the respondents 1 and 2 are improper and irregular. Hence, the impugned order deserves to be interfered by this Court and accordingly, interfered with.

4. The writ petition stands allowed. The impugned order is set aside with a direction to the third respondent school to resubmit the proposal of the appointment of the petitioner and on such re-submission, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter. 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

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K.KUMARESH BABU, J.

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