



W.P.(MD) No.31918 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD)No.31918 of 2025
and
W.M.P(MD)No.25103 of 2025**

The Correspondent,
R.C.Higher Secondary School,
Meenachipuram, Rajapalayam,
Virudhunagar District.

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George, Chennai – 600 009.
- 2.The Director of School Education,
College Road,
Chennai – 600 009.
- 3.The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.
- 4.The District Educational Officer
(Secondary Education),
Sivakasi, Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding issued by the fourth respondent DEO vide impugned proceedings in O.Mu.No.7599/A5/2025 dated --.08.2025, quash the same and further direct the third respondent Chief Educational Officer herein to approve forthwith the appointment of M.A.Joan Felix Mary as BT Assistant English in the petitioner's school namely, R.C Higher Secondary School, Meenachipuram, w.e.f.,04.06.2025 and disburse the grant-in-aid towards her salary and allowances w.e.f., the said date with all attendant benefits.

For Petitioner : M/s.A.Amala

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

ORDER

The present Writ Petition has been filed for a writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding issued by the fourth respondent DEO vide impugned proceedings in O.Mu.No. 7599/A5/2025 dated --.08.2025, quash the same and further direct the third respondent Chief Educational Officer herein to approve forthwith the appointment of M.A.Joan Felix Mary as BT Assistant English in the petitioner's



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school namely, R.C Higher Secondary School, Meenachipuram, w.e.f., 04.06.2025 and disburse the grant-in-aid towards her salary and allowances w.e.f., the said date with all attendant benefits.

2. The learned counsel for the petitioner submits that there are about 325 students studying in the school and one post of B.T.Assistant English in the petitioner School fell vacant on 01.02.2025, in which place they had also appointed one Mrs.M.A.Joan Felix Mary with effect from 04.06.2025. A proposal had been sent to the fourth respondent on 15.07.2025 seeking approval of her appointment and to disburse the grant in aid towards her salary.

3. The said proposal had been returned as there has been no instruction for approval of post. The said proposal had been returned instructing the petitioner school to re-submit the proposal once instructions have been received with regard to the deployment of surplus non-teaching staff in the aided schools.

4. She submits that there is no surplus teaching staff available in the school for them to be deployed. That apart, she would submit that the post being



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a sanctioned post in which already grant in aid has been given and the new appointment has been made. It is incumbent on the part of the respondents to approve the same, as the teacher also possess the qualification of TET.

5. The learned Additional Government Pleader on the other hand submits that the claim of the petitioner had not been rejected in its entirety. It has been withheld for the time being for further instructions from the Director of School Education and the petitioner school was only directed to re-submit the proposal after receipt of the instructions from the Head of the Department. Therefore, he would submit that there is no error in the order impugned and the petitioner can await for further orders from the Head of the Department.

6. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

7. Grant in aid had been provided to support the private educational institutions in the interest of the students. When grant in aid is accorded to a



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particular school, they are only entitled to collect minimum fees from the school.

8. Having admitted the eligibility to the petitioner for grant of approval as per the rules, it is not known as to how any instructions could be given contrary to the rules, either by the Head of the Department or by the Government.

9. In such circumstances, this court finds no impediment for granting a positive direction to grant approval.

10. In such view of the matter, the following orders are passed.

a. The impugned order dated ...08.2025 is set aside.

b. The petitioner School shall resubmit the proposal within a period of two weeks from date of the receipt of a copy of this order.

c. On receipt of the same, the third respondent shall grant approval to the post of B.T.Assistant (English) from the initial date of her appointment and disburse the grant-in-aid towards her salary and allowances with all attendant benefits within a period of four weeks thereafter.



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13. The writ petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

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K.KUMARESH BABU, J.

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