



Rev.Aplc.(MD).No.232 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :20.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

REV.APLW(MD)No.232 of 2025

in

W.P(MD)No.13703 of 2025

The Correspondent
St. Josephs Higher Secondary School
Kovilpatti 628 501
Tuticorin District.

.. Petitioner/Petitioner

Vs.

1. The Director of School Education
College Road
Chennai - 600 006.

2. The Joint Director of School Education (Secondary Education)
College Road
Chennai - 600 006.

3. The Chief Educational Officer
Tuticorin
Tuticorin District.

4. The District Educational Officer
Kovilpatti
Tuticorin District.

.. Respondents/Respondents

PRAYER:Review Application has been filed under Order 47 Rule 1 & 114 of Code of Civil Procedure against the order passed in W.P.(MD).No. 13703 of 2025, dated 14.10.2025.



Rev.Aplc.(MD).No.232 of 2025

For Petitioner :Mr.K.Ragatheesh Kumar
for
M/s.Isaac Chambers

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

ORDER

This review application is filed for review of the order passed by this Court in W.P(MD)No.13703 of 2025 dated 14.10.2025.

2. The present review application has been made pointing out the factual error that had been kept in the order made in W.P.(MD).No.13703 of 2025 dated 14.10.2025.

3. It is the claim of the petitioner that the petitioner had possessed TET, but, however the order in W.P.(MD).No.13703 of 2025 dated 14.10.2025 had been passed on the presumption that the petitioner not possessed the qualification of TET. The reason for rejection of the approval for the appointment of the incumbent is that there is a district surplus in the Tuticorin District. The petitioner undisputedly have the qualification of TET. In view of the same, para 4 and 5 in the order made in W.P.(MD).No.13703 of 2025 dated 14.10.2025 shall stand deleted and be replaced with the following:



Rev.Aplc.(MD).No.232 of 2025

"4.The appointment of the BT Assistant (Maths) was made on 01.04.2019 by converting an existing sanctioned post of BT Assistant (Science). However, the proposal for conversion of the post had been rejected holding that there are 72 surplus teachers, including 14 BT Assistant (Maths) in other schools in Tuticorin District. It is to be noted that even though there are surplus teachers in the Tuticorin District, the respondents had not declared any surplus teachers in the petitioner's school. That apart the reason assigned that 14 surplus BT Assistant (Maths) available in Tuticorin District cannot be made to an appointment that had been made on 31.03.2019. As judgement made in W.A.(MD).No.76/2019 etc., batch cases can only be applied prospectively. Admittedly, the petitioner school having found that there is a shortage of teacher in BT. Assistant (Maths), they had converted as BT Assistant (Science) post which is vacant by appointing a BT Assistant (Maths). The teachers are sanctioned as per the student strength in the school. Conversion of the sanctioned vacancy in a particular subject to another subject cannot prejudice the Government as they are still liable to disburse the grant-in-aid for the sanctioned post.



Rev.Aplc.(MD).No.232 of 2025

5. Therefore, the impugned order is set aside and the respondents are directed to approve the proposal submitted by the petitioner for the appointment of BT Assistant (Maths) with effect from the date of his original appointment and as a sequel they are directed to disburse the grant-in-aid for the salary and all other attendant benefits of such appointment."

4. With the above observations, this Review application is ordered.

No costs.

20.11.2025

gvn

Index: Yes/No

Internet: Yes/No



Rev.Aplc.(MD).No.232 of 2025

WEB COPY

To:

1. The Director of School Education
College Road
Chennai - 600 006.

2. The Joint Director of School Education (Secondary Education)
College Road
Chennai - 600 006.

3. The Chief Educational Officer
Tuticorin
Tuticorin District.

4. The District Educational Officer
Kovilpatti
Tuticorin District.



WEB COPY



Rev.Aplc.(MD).No.232 of 2025

K.KUMARESH BABU, J

gvn

REV.APLW(MD)No.232 of 2025
in
W.P(MD)No.13703 of 2025

20.11.2025