



WEB COPY



WA No. 779 of 2026

IN THE HIGH COURT of JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 779 of 2026

and

CMP No. 8017 of 2026

1. The Director of School Education
College Road, Chennai 600 006.
2. The Chief Educational Officer
Thirupattur District
Thirupattur
3. The District Educational Officer
Thirupattur District
Thirupattur

..Appellant(s)

Vs

1. N.Fayaz Ahmed
B.T.Assistant (Science) Urdu Medium
Anaikar Oriental (Arabic) Higher Secondary
School, M.C. Road, Ambur 635 802
2. The Correspondent
Anaikar Oriental (Arabic) Higher
Secondary School, M.C.Road,
Ambur - 635 802.

..Respondent(s)



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Prayer: Appeal filed under clause 15 of Letters Patent to set aside the order dated 30.10.2025 made in W.P. No. 41251 of 2025 and allow this Writ Appeal.

For Appellant(s): Mr.J.C.Durairaj
Additional Government Pleader

For Respondent(s): Mr.S.N.Ravichandran

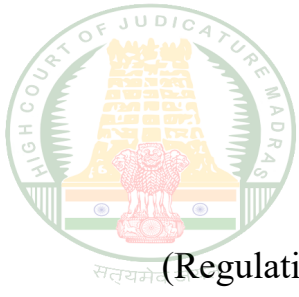
Judgment

(Judgment of the Court was delivered by N.Senthilkumar J.)

This intra court appeal has been filed challenging the order passed by the Writ Court in W.P. No. 41251 of 2025 dated 30.10.2025.

2.The Government is aggrieved by the order of the Writ Court in W.P. No.41251 of 2025 dated 30.10.2025 where the first respondent/writ petitioner had filed a Writ Petition challenging the order passed by the second Appellant in Na.Ka.No.2394/AA2/2025 dated 16.10.2025.

3.The case of the first respondent/writ petitioner before the writ Court is that he was qualified and eligible for the post of BT Assistant (Science). The second respondent School is an Aided Religious Minority Institution, which is governed by certain provisions of Tamil Nadu Recognized Private Schools



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(Regulation) Act, 1973 and Rules 1974. A vacancy arose for the post of BT Assistant, Urdu medium on 01.05.2023, pursuant to the retirement of one Mr.O.Gulzar Ahmed, on 30.04.2023 in the second respondent School. As it is a sanctioned post, the first respondent was appointed by the second respondent by proceedings dated 10.06.2024 as BT Assistant, Urdu medium. After her appointment, the second respondent submitted a proposal to the second appellant through the third appellant for approval of the 1st respondent's appointment to the post of BT Assistant (Science). However, the third appellant, by its proceedings dated 19.07.2024, rejected the proposal sent by the second respondent seeking approval of the petitioner's appointment, on the basis of G.O.Ms.No.146, School Education Department, dated 28.06.2024.

4.The learned counsel for the Appellants fairly contended that in an identical issue in W.P.No.20499 of 2025, the writ court by an order dated 12.06.2025 allowed the writ petition and remanded the matter for fresh consideration. As against the said order passed by the writ Court, an appeal was filed in W.A.No.1865 of 2025 and the same got dismissed.

5.The first respondent was appointed by the second Respondent School



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against a duly sanctioned post. In the absence of any irregularity in such appointment, we do not find any infirmity in the order passed by the writ Court.

Apart from that the learned Additional Government Pleader fairly submitted that in an identical issue, a Division Bench of this Court by judgment dated 26.03.2026 in WA.No.614 of 2026 had dismissed the Appeal filed by the Government.

6.In view of the same, the Writ Appeal is dismissed. No costs.
Consequently, connected Miscellaneous Petition is closed.

(R.S.K.,J.) (N.S.,J.)
01-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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