



WEB COPY

WP No. 6855 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 6855 of 2026

and

WMP Nos.7441 and 7446 of 2026

Siji V Jacob
BT Assistant (English)
St. Thomas Higher Secondary School,
Marthoma Nagar, Gudalur,
The Nilgiris-643 211.

..Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.
2. The Director of School Education
College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Chief Educational Office,
Additional Collectorate,
Finger Post,
Ooty 643 006.
4. The District Educational Officer (Secondary),
Additional Collectorate,
Finger Post,
Ooty 643 006



5. The Correspondent
St. Thomas Higher Secondary School,
Marthoma Nagar, Gudalur,
The Nilgiris-643 211.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the 3rd respondent, Chief Educational Officer in Na.Ka.No.6006/Aa4/2025 dated 30.12.2025, quash the same and further direct 3rd and 4th respondents herein to approve the appointment of the petitioner as secondary Grade Teacher in aided post in the 5th respondent school namely, St. Thomas Higher Secondary School, Marthoma Nagar, Gudalur, the Nilgiris from 08.03.1999 to 03.10.2004 for the purposes of release of salary and other consequential benefits including pension.

For Petitioner : Mr.T.Hari Gopalan
for M/s.ISAAC Chambers

For Respondents : Ms.Mythreye Chandru
Special Government Pleader

ORDER

The present writ petition is filed challenging the impugned order issued by the 3rd respondent, Chief Educational Officer in Na.Ka.No.6006/Aa4/2025 dated 30.12.2025 and further direct the 3rd and 4th respondents to approve the appointment of the petitioner as Secondary Grade Teacher in aided post in the 5th respondent school namely, St. Thomas Higher Secondary School, Marthoma Nagar, Gudalur, the Nilgiris from 08.03.1999 to 03.10.2004 for the purposes of release of salary and other consequential benefits including pension.



2. Brief facts:

2.1. The petitioner possessed BA (English) and B.Ed degrees. Petitioner is presently working as BT Assistant (English) in the fifth respondent School namely, St Thomas Higher Secondary School, Marthoma Nagar, Gudalur, the Nilgiris with effect from 04.10.2004. The fifth respondent School is an aided minority educational institution. The Government grants aid upto 10th standard. The petitioner was initially appointed as Secondary Grade Teacher in the 5th respondent school in a sanctioned vacancy that arose due to promotion of one M.Thomas as BT Assistant. Later, the 5th respondent School by order dated 01.03.1999 cancelled his appointment stating that the approval for the promotion of the previous incumbent Mr.Thomas was rejected by the official respondents. Thereafter, he was appointed as Secondary Grade Teacher in a sanctioned post by order dated 08.03.1999 that fell vacant due to the retirement of the previous incumbent one V.J.Abraham on 31.05.1997. Immediately after his appointment, the fifth respondent School by letter dated 05.05.1999 sent a proposal for approval of his appointment and to release the grant-in-aid. However, the District Educational Officer vide proceedings dated 22.05.1999 refused to approve the appointment stating that there is no norms with regard to the appointment of a BT Assistant against the vacancy arising from a Secondary Grade Teacher post.



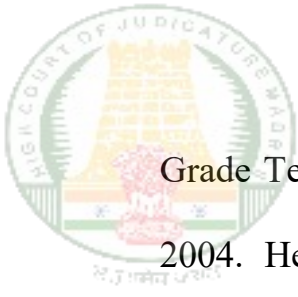
2.2. Aggrieved by the non approval, the petitioner filed a writ petition before this Court in W.P.No.12745 of 2000 seeking to quash the G.O.Ms.No.559, Education Department dated 11.07.1995 and for a direction to the respondents to approve the appointment of the petitioner from 08.03.1999 as the petitioner is appointed is sanctioned and approved vacancy of St.Thomas English High School, Gudalur with salary and all other benefits. This Court, by order dated 18.12.2009, granted liberty to petitioner to submit a representation to the third respondent seeking approval of his appointment by placing reliance on the said Government Order in GO Ms.No.100, School Education Department dated 27.06.2003. On such representation being made, the third respondent shall consider the same in accordance with law and pass orders on merits. Pursuant thereto, the petitioner submitted several representations for approval of this appointment with effect from 08.03.1999. The District Educational Officer vide proceedings dated .07.2005 approved the appointment with effect from 04.10.2004 and later the four respondent approved the appointment with effect from 06.10.2006.

2.3. Thereafter, in the year 2015, petitioner made representation to grant benefit from 08.03.1999 to 03.10.2004 as Secondary Grade Teacher and the same was rejected vide impugned order dated 30.12.2015. Challenging the same, present writ petition has been filed.



3. Learned counsel for petitioner would submit that admittedly petitioner initially appointed as Secondary Grade Teacher in the vacancy arose at the relevant point of time on 08.03.1999 and he worked till 03.10.2004. Thereafter, the petitioner was again given appointment as BT Assistant (English) on 04.10.2004 and the same was approved vide proceedings dated .07.2005 with effect from 04.10.2004. However, the petitioner's service rendered as Secondary Grade Teacher, no pay was paid to petitioner, it is duty cast upon the respondents to pay the benefits from 08.03.1999 to 03.10.2004 in the post of Secondary Grade Teacher, however refused to pay for the said period. The earlier employment and the subsequent employment only in the aided school. Hence, he prays for appropriate orders.

4. Per contra, learned Special Government Pleader for the respondents would submit that though petitioner initially appointed as Secondary Grade Teacher on 08.03.1999 and the same was returned vide endorsement dated 22.05.1999 and challenging the same, the petitioner filed writ petition and the writ petition was disposed of in the year 2009, however, the petitioner suppressed the subsequent appointment dated 04.10.2004 before this Court and this Court granted liberty to petitioner to approach the respondent for approval of the Secondary Grade Teacher, however, the petitioner filed a representation only in the year 2015, after a lapse of 6 years. Earlier refusal was not approved, therefore, no benefit can be granted to petitioner for the post of Secondary



Grade Teacher, since the petitioner was subsequently appointment in the year 2004. Hence, order of the authority cannot be interfered and accordingly, prays for dismissal of the writ petition.

5. Heard the counsels and perused the materials available on record.

6. Considering that fact that the petitioner initially appointed as Secondary Grade Teacher on 08.03.1999 and the same was returned vide endorsement dated 22.05.1999 and challenging the same, the petitioner filed writ petition and the writ petition was disposed of in the year 2009, however, the petitioner suppressed the subsequent appointment dated 04.10.2004 before this Court and this Court granted liberty to petitioner to approach the respondents for approval of the Secondary Grade Teacher. Subsequently, the petitioner filed representation only in the year 2015, after a lapse of 6 years. Earlier proposal was not approved, therefore, no benefit can be granted to petitioner for the post of Secondary Grade Teacher, since petitioner was subsequently appointment in the year 2004. Hence, the order of the authority cannot be interfered.



7. Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

20-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRN

To

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai-600 009.
2. The Director of School education
College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Chief Educational Office,
Additional Collectorate,
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M.DHANDAPANI, J.

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