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W.P.No.8756 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

CORAM :

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.8756 of 2021
and WMP.No.9290 of 2021

G.K.Seenu

... Petitioner

vs

1.Sri Venkateswara Higher Secondary School,
Represented by its Correspondent / Secretary
(under the Management of TT Devasthanams)
Infantry Road, Anna Salai
Vellore – 632 001.

2.The Executive Officer
Thirumala Tirupati Devasthanams
K.T.Road
Tirupati – 517507.

3.The Chief Educational Officer
Vellore District
Collector Office Campus
Vellore – 632 009.

4.The District Educational Officer
Vellore District
Collector Office Campus
Vellore – 632 009.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India,
praying to issue a Writ of Certiorari to call for the records of the 2nd respondent



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herein vide Memo in file No.TTD-70021(31/58/2021-CVSO-SEC TTD on the file of the 2nd respondent herein dated 26.03.2021 served on the petitioner on 30.03.2021, whereby the petitioner was deputed to SKRS (EM) High School, TTD, Tirupati.

For Petitioner : M/s.Tamil Selvi Santhanaraman
for Mr.M.Santhanaraman
For Respondent : Mr.G.Ponnambala Thiyagarajan
for R1 and R2.
Mrs.A.Bakkiyalakshmi, GA for R3 & R4.

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 and 2 and the learned Government Advocate appearing for the respondents 3 and 4 and perused the records.

2. The petitioner by the present writ petition has assailed the action of the 2nd respondent in issuing memo dated 26.03.2021, whereby the petitioner who is serving as Physical Education teacher at Sri Venkateswara Higher Secondary School, Vellore is deputed to work at SKRS (EM) High School, TTD, Tirupati.

3. It is the case of the petitioner that he was initially appointed in the year 2010 on temporary basis and his service was regularised w.e.f. 17.11.2012 under the proceedings dated 23.03.2013; that the post to which the petitioner was



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appointed, is a sanctioned post under the Tamil Nadu Private School regulations Act, 1973; that the respondents could not have deputed the petitioner to work at School in Tirupati in the State of Andhra Pradesh without obtaining prior sanction or approval from the concerned educational authority in the State of Tamil Nadu and as such the impugned proceedings is without jurisdiction.

4. Per contra, the learned counsel appearing on behalf of the respondents submits that since, the disciplinary proceedings were initiated against the petitioner, the authorities have merely deputed the services of the petitioner to one of their Schools situated at Tirupati, as such, the said deputation cannot be treated as either transfer or punitive in nature.

5. The learned counsel appearing on behalf of the respondents would further submit that the 2nd respondent by letter dated 29.03.2021 had sought for permission from the District Educational Officer for deputing the petitioner to work at their School in Tirupati in the State of Andhra Pradesh and even before the authorities could examine and accord permission, the petitioner had approached this Court by the present writ petition and obtained the order of Stay, as such, no



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further steps have been taken. Contending as above, the learned counsel for the respondents seeks for dismissal of the writ petition.

6. I have taken note of the respective contentions urged.

7. Admittedly, the post on which the petitioner was appointed in the year 2010 and regularised w.e.f. 17.11.2012 is sanctioned post under the provisions of Tamil Nadu Private School regulations Act, 1973. The petitioner being appointed against the sanctioned post, the respondents could not have issued the impugned proceedings even though termed as deputation by deputing the petitioner to work at a school in the State of Andhra Pradesh by not giving up the sanctioned post, but retaining the sanctioned post in the State of Tamil Nadu.

8. This would be evident from the impugned memo, under which, the petitioner was deputed to work at the School of the 2nd respondent in Tirupati, wherein it is stated as under :- *“His pay & allowances is to be debited in his original place i.e., at S.V.H.S.S, Vellore (Grant-in-aid post of Tamil Nadu)”*.

9. Though on behalf of the respondents, it is contended that since, the



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petitioner was facing charges, he has been deputed to work at another school being managed by the 2nd respondent, the 2nd respondent could have resorted to the aforesaid action, if only they had another school in the State of Tamil Nadu particularly, the post being an grant in aid post in the State of Tamil Nadu.

10. Further, if only the respondent intended to depute the petitioner to the State of Andhra Pradesh, it ought to have given up grant in aid post before resorting to the aforesaid action, for it to claim that the said post does not continue to be grant in aid post to any further, thereby, the 2nd respondent being free to transfer the teacher like the petitioner to any of the school subject to the conditions of appointment letter issued to a teacher like the petitioner making it clear their services are transferable among the school maintained by the 2nd respondent.

11. Since, it is not shown to this Court of 2nd respondent obtaining any prior approval from the concerned authorities in the State of Tamil Nadu seeking to depute the petitioner service to their school at the State of Andhra Pradesh, such deputation being a interstate deputation, this Court is of the view that the action of the 2nd respondent is without jurisdiction. In view of the above, the impugned order



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cannot be sustained.

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12. Accordingly, the writ petition is allowed and the impugned order/memo dated 26.03.2021 is set aside. Consequently, connected miscellaneous petition is closed. No order as to costs.

16.02.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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T. VINOD KUMAR, J.

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