



WEB COPY

WP No. 10963 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10963 of 2026

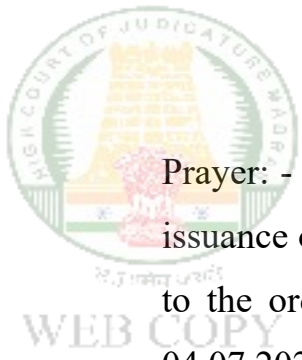
Manba-ul-ula Higher Secondary School
Rep. by its correspondent,
S.M.Anwardeen,
No.51, Chinnapalli Street,
Koothanallur, Thiruvarur District,
Tamil Nadu-614 101

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary School Education
Department,
Fort St. George, Chennai-600 009
2. The Joint Director of School Education
(Secondary Education)
Directorate of School Education, D.P.I. Complex,
college Road, Chennai-600 006
3. The Chief Educational Officer
Thiruvarur,
Thiruvarur District-610 004
4. The District Educational Officer
Thiruvarur,
Thiruvarur District-610 004

..Respondent(s)



Prayer: - Writ petition under Article 226 of the constitution of India praying for issuance of a writ of Certiorarified Mandamus calling for all documents relating to the order passed by the 4th respondent in O.Mu.No.0027/A3/ 2025 dated 04.07.2025 and quash the same s illegal and arbitrary and direct the respondents the 4th respondent to approve the appointment of the one Karpaga Lakshmi on the basis of the proposal submitted by the petitioner school in Na.Ka. No.57 of 2024 dated 25.10.2025 and give all service benefits of J.Karpaga Lakshmi from the date of her initial appointment.

For Petitioner(s): Mr.B.Ajith Kumar

For Respondent(s): Ms. Mythreye Chandru for R1 to R4.

ORDER

This Writ Petition has been filed for the following reliefs:-

“calling for all documents relating to the order passed by the 4th respondent in O.Mu.No.0027/A3/ 2025 dated 04.07.2025 and quash the same s illegal and arbitrary and direct the respondents the 4th respondent to approve the appointment of the one Karpaga Lakshmi on the basis of the proposal submitted by the petitioner school in Na.Ka. No.57 of 2024 dated 25.10.2025 and give all service benefits of J.Karpaga Lakshmi from the date of her initial appointment.

Brief Facts:-



2. The petitioner school was established in the year 1939 by the Manba-ul-Ula Society, Koothanallur, registered on 13.05.1919 before the Sub-Registrar Office, Tanjore. The school initially had classes from LKG to V Standard, which was later upgraded as a Middle School on 01.06.1946, and is presently functioning up to 10th Standard.

3. The petitioner is a Government-aided minority private educational institution and is entitled to administer the institution, including the right to make appointments, in accordance with law. It is submitted that one Tmt.Jayanthi was working as a Tamil Teacher in a sanctioned post of B.T. Assistant and retired from service on 31.05.2020 on attaining the age of superannuation, thereby giving rise to a regular sanctioned vacancy.

4. Thereafter, the petitioner, in order to fill up the said vacancy, appointed Tmt. J. Karpaga Lakshmi as B.T. Assistant (Tamil) in the sanctioned post vide proceedings in Na.Ka.No.57 of 2024 dated 10.06.2024. She joined duty on the same day and has been continuously working in the said post.

5. Thereafter, the petitioner had submitted a proposal dated 25.10.2024 to the 4th respondent seeking approval of the said appointment. However, the 4th



respondent, by the impugned order dated 04.07.2025, rejected the proposal on the ground that the said J. Karpaga Lakshmi had secured only 44.47% marks in her undergraduate course and was therefore not eligible for approval as per G.O.Ms.No.22, School Education Department, dated 13.01.2023, which prescribes a minimum of 50% marks in the undergraduate course. Challenging the same, the petitioner is before this Court.

6. Heard the learned counsel on either side and perused the records.

7. The impugned order has been passed relying upon an amendment made to the Special Rules for the Tamil Nadu Elementary Educational Subordinate Service in and by which it is stated that in the annexure referred to 6(b)(i) as against clause III (2) in column (4), the following had been included “*Graduation with at least 50% marks and Bachelor of Education (B.Ed)*” and thereafter the 2nd proviso stood deleted. Since the said Karpaga Lakshmi had scored only 44.47% marks, the request for approval was turned down. However, it is brought to the notice of this Court that above-said amendment is the subject matter of WP.No.10711 of 2023 (Batch) and the same has been stayed by an interim order dated 21.04.2023. Therefore, the approval of the said Karpaga Lakshmi would be governed by the earlier Rules.



8. In view of the above, the Writ Petition is allowed. The impugned order is set aside and the matter is remitted back to the 3rd respondent for fresh consideration of the proposal submitted by the petitioner school seeking approval of the appointment of Tmt. J. Karpaga Lakshmi, taking note of the fact that G.O. Ms. No. 22, School Education Department, dated 13.01.2023, has been stayed. The 3rd respondent shall pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. No costs.

24-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHR

To

1. The Government of Tamil Nadu
Rep. by its Secretary School Education
Department,
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2. The Joint Director of School Education
(Secondary Education)
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