

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MRS.JUSTICE R.KALAIMATHI

W.A.Nos.1013 and 1022 of 2026 AND
C.M.P.No.10386 of 2026

W.A.No.1013 of 2026

A.M.Maheswari

..Appellant

-VS-

1. The Director,
School Education Department,
Directorate of School Education,
DPI Compound, Chennai 600 006.
2. The Joint Director,
School Education Department,
Directorate of School Education,
DPI Compound, Chennai-6
3. The Chief Educational officer,
Office of the Chief Education Officer,
Tirupur- 641604
4. The Head Master
Government High school
Kanarpudur, Coimbatore District.

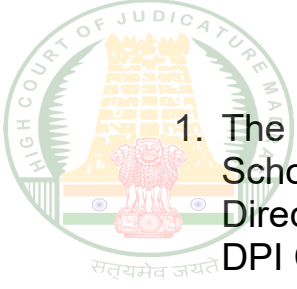
..Respondents

W.A.No.1022 of 2026

K.Sivakumar

..Appellant

-VS-



1. The Director,
School Education Department,
Directorate of School Education,
DPI Compound, Chennai 006.
2. The Joint Director,
School Education Department,
Directorate of School Education,
DPI Compound, Chennai 006.
3. The Chief Educational Officer
Office of the Chief Education officer,
Salem 636 001
4. The Headmaster
Government Boys Higher Secondary
School, Jalakandapuram 636 501,
Salem District.
5. The Headmaster
Municipal Girls Higher Secondary School,
Pavadi, Salem 636 001.

..Respondents

W.A.No.1013 of 2026

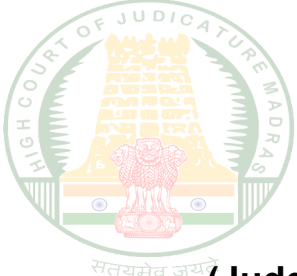
Prayer: To set aside the portion of order dated 21.02.2025 passed in WP.No.25948 of 2019 on the file of this Honble Court in respect of non granting the monetary benefits from the date on which the appellant obtained the equivalence degree.

W.A.No.1022 of 2026

Prayer: To set aside the portion of order dated 21.2.2025 passed in WP.No. 25951/2019 on the file of this Honble court in respect of non granting the monetary benefits from the date on which the appellant obtained the equivalence degree.

For Appellants: Mr.R.Ezhilarasan

For Respondents: Dr.R.Gouri, Govt. Counsel

**COMMON JUDGMENT****(Judgment of the Court was delivered by S.M.Subramaniam J.)**

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The present Intra Court Appeals have been instituted, challenging the common writ order dated 21.02.2025 passed in W.P.Nos.25948 and 25951 of 2019. Writ Petitioners are appellants before this Court.

2. Appellants preferred writ petitions, challenging the proceedings of the Joint Director, School Education Department dated 16.07.2019, declining the claim of appellants for grant of promotion to the post of B.T.Assistant. Reason stated in the impugned order dated 16.07.2019 is that Surplus Teachers are waiting for promotion to the post of B.T.Assistant and that there is no vacancy in the post of B.T.Assistant for considering the case of appellants for promotion.

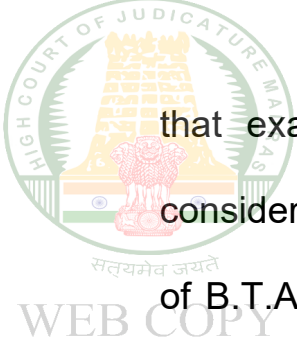
3. Learned counsel for appellants would mainly contend that though appellants were not promoted to the post of B.T.Assistant, they had been performing duties of B.T.Assistant and therefore, they are eligible for monetary benefits. However, Writ Court, while allowing writ petitions, directed Authorities to grant promotion notionally and pay



monetary benefits from the actual date of joining in the post of B.T.Assistant and therefore, writ order is liable to be set aside to the extent of restoring the monetary benefits in the post of B.T.Assistants.

4. The fact remains that appellants were initially appointed as Secondary Grade Teachers and they were not promoted to the post of B.T.Assistant for want of vacancy during the relevant point of time. In pursuance of writ order impugned, they have been promoted to the post of B.T.Assistant notionally with effect from 02.08.2010 (in W.A.No.1022 of 2026) and 25.08.2010 (in W.A.No.1013 of 2026) respectively and actual monetary benefits were directed to be settled from the date on which they joined in the post of B.T.Assistant, namely, 31.12.2025.

5. The case of appellants was not considered not only for want of vacancy, but also on the ground that they had not produced Degree Equivalence Certificate that B.Sc. Applied Chemistry awarded by Annamalai University is equivalent to B.Sc.Chemistry for the purpose of employment in Public Service. Pertinently, Government passed an order dated 24.04.2019 in G.O.(Ms) No.65 Higher Education (K2) Department in respect of Equivalence of Degrees, based on the resolution passed by the 60th Equivalence Committee held on 11.02.2019. However, Degree was validated with retrospective effect



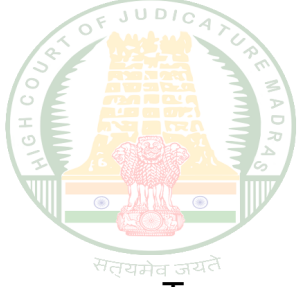
that exactly is the reason as to why the case of appellants was considered for retrospective promotions from the date on which the post of B.T.Assistant fell vacant, i.e., 02.08.2010 (in W.A.No.1022 of 2026) and 25.08.2010 (in W.A.No.1013 of 2026) respectively.

6. Appellants had not served in the post of B.T.Assistant and therefore, they cannot claim retrospective monetary benefits. The contention of appellants is that they had served as B.T.Assistants in the absence of any appointment or promotion order. Government cannot pay actual monetary benefits for the period for which they were not appointed or promoted as B.T.Assistants. Thus, this Court does not find any infirmity in respect of writ order impugned dated 21.02.2025, which has been implemented by Joint Director, School Education Department vide proceedings dated 31.12.2025.

With the above observations, the present Writ Appeals stand dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (R.K.M.,J.)
08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIAM,J.
AND
R.KALAIMATHI,J.
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To:

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