



WEB COPY

WP No. 17255 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 17255 of 2022
and W.M.P.No.16581 of 2022**

T.Suhasini

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
School Education Department, Secretariat, Fort
ST.George, Chennai 09.
2. The Director Of School Education
DPI Campus, College Road, Chennai 06.
3. The Joint Director Of School Education
(Personnel), The directorate of School
Education, DPI Campus, College Road,
Chennai 06.
4. The Member Secretary
Teacher Recruitment Board, 4th Floor, EVK
Sampath Maligai, DPI Campus, College Road,
Chennai 06.

..Respondent(s)

PRAYER : Writ Petition is filed under Article 226 of the Constitution on India, to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent having reference Na.Ka.No. 34269/ C2/E2/ 2019 dated 26.03.2022 and quash the same as illegal and consequently, direct the respondents 2 and 3 to appoint the Petitioner as B.T. Assistant in History in anyone of the Schools in the State of Tamil Nadu pursuant to the proceedings of the third respondent having reference Na.Ka.No. 034269/ C2/E2/ 2017 dated 18.05.2017.

For Petitioner(s):

Mrs.Nalini Chidambaram, Sr.Counsel for
Ms.C.Uma



For Respondent(s):

Mr.A.M.Ayyathurai,
Govt.Advocate for R1 To R3

Mr.C.Kathiravan,
Special Government Pleader for R4

ORDER

This Writ Petition has been filed challenging the impugned order dated 26.03.2022, whereby, petitioner was denied appointment to the post of B.T. Assistant (History) only on the premise that the petitioner has obtained 30 marks in English in SSLC examination conducted by Karnataka Secondary Education Examination Board.

2. The case of the petitioner is that the above order is made by invoking G.O.Ms.No.38, wherein the appointment sought for B.T. Assistant (History) was denied on the ground that the petitioner should have obtained 35 marks in each of the five subjects to be considered as pass in SSLC examination in Tamil Nadu. The petitioner has already been selected to the post of B.T. Assistant (History) in minority language by the fourth respondent based on the marks secured by the petitioner. However, the user department viz., the third respondent had relied on G.O.Ms.No.38 and denied appointment to the petitioner to the post of B.T. Assistant (History) only on the grounds set out supra.



3. This Court find that the issue under consideration is no longer *res integra* and is covered by the order of this Court in **W.P.No.4735 of 2017** wherein, after noting that the issue stands covered by the order of the Division Bench of this Court in the case of ***S.John Richard Vijayan Vs. The Director of School Education and others*** in W.A.No.1292 of 2012 dated 21.11.2014, had directed that the orders be passed confirming the petitioner's appointment as B.T. Assistant with consequential benefits. The relevant paragraph is extracted hereunder:

“3.Both learned counsel agree that the lis under decision has been considered earlier by this Court and the most recent order has been passed in the case of A.Meenakshi v. The State of Tamil Nadu and others [W.P.No.7457 of 2017]. The petitioner in the present case has obtained 30% marks each in English and Science in SSLC examination written in Karnataka. The Government invokes G.O.Ms.No.38, Personnel and Administrative Reforms (Personnel-R) Department, dated 19.01.1987, to deny her the appointment sought for as B.T. Assistant (History) on the ground that the petitioner should have obtained 35% marks in each of the five subjects to be considered to have passed a course equivalent to SSLC examination in Tamil Nadu.

4.Both learned counsel concur on the position that this issue is covered by a decision of a Division Bench of this Court in the case of S.John Richard Vijayan v. The Director of School Education, Chennai [W.A.No.1292 of 2012] dated 21.11.2014 to the effect that the lesser marks obtained in English in SSLC examination would have no bearing seeing as pursuant to the SSLC course, the candidate has been admitted



in subsequent courses as well. Even in the present case, the petitioner has, pursuant to completion of SSLC, completed her under graduation and B.Ed. (History) from Annamalai University in the year 1996.

5.The aforesaid order of the Division Bench has been confirmed by the Supreme Court in Special Leave Petition filed by the Director of School Education in The Director of School Education, Chennai v. S.John Richard Vijayan [SLP Civil Diary No(s).6200 of 2018] on 19.03.2018.

6.In the light of the above discussion, this writ petition is allowed. Let necessary orders be passed confirming the petitioner's appointment as B.T. Assistant (History) with consequential benefits being paid within a period of four weeks from date of receipt of a copy of this order."

4. The learned Government Advocate appearing for the respondents 1 to 3 would submit that the petitioner's appointment would be considered as and when the vacancy arises, agreed to by counsel for petitioner.

5. In the circumstances, respondents are directed to pass an order of appointment within a period of three weeks from the date of receipt of a copy of this order or as and when any vacancy arises.



6. In the result, this Writ Petition is disposed of. No costs. Consequently,
connected Miscellaneous Petition is closed.

02-04-2026

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

GSK

To

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat, Fort ST.George , Chennai 09.
- 2.The Director Of School Education.
DPI Campus, College Road, Chennai 06.
- 3.The Joint Director Of School Education (Personnel),
The directorate of School Education,
DPI Campus, College Road, Chennai 06.
- 4.The Member Secretary,
Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road, Chennai 06.



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MOHAMMED SHAFFIQ, J.

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