



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.21022 of 2023

and

W.M.P. Nos.20393, 20395, 20396 of 2023, 4574 and 4573 of 2024

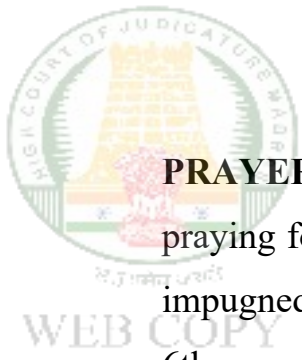
D.Selvananthi
Secondary Grade Teacher,
IELC, Maans School for the Mentally Retarded,
Barugur- 635 104, Krishnagiri District.

..Petitioner(s)

Vs

1. The Commissioner for Differently Abled
Lady Wellington College Campus,
Chennai- 005.
2. The District Differently Abled Welfare Officer
Krishnagiri District.
3. The Secretary - cum- General Teasusrer
Indian Evangelical Lutheran Church,
No.47, Eldams Road, Teynampet,
Chennai- 018.
4. The Ambur Synod,
Mission Compound, Ambur, Tirupattur District.
5. The Correspondent
IELC, Maans School for the Mentally Retarded
Barugur- 635 104, Krishnagiri District.
6. Mrs.J.Jenipher Rubini
D/o.D.Joseph (Late),
Krishnasamy Naidu Street, Opp to Travellers
Bungalow, Tirupattur Road, Bargur- 635 104.

..Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the entire records connected with the impugned orders passed by the 5th respondent, dated 09.06.2023, appointing the 6th respondent as Secondary Grade Teacher and the consequential order passed by the 2nd respondent in Na.Ka. No. 1327/ 2023, dated 30.06.2023, recommending the proposal for approval of 6th respondent, to the 1st respondent and quash the same.

For Petitioner(s): Mr.S.N.Ravichandran

For Respondent(s): Mr.V.Jeevagiridharan
Additional Government Pleader (for R1 & R2)

Mr.K.Venkateswaran (for R3)

Mrs.Dhakshayani Reddy
Senior Counsel
for Mrs.S.SUNEETHA (for R6)

No Appearance (for R4 and R5)

ORDER

The present writ petition has been filed challenging the impugned orders passed by the 5th respondent dated 09.06.2023 appointing the 6th respondent as Secondary Grade Teacher consequent to the order passed by the 2nd respondent on 30.06.2023 recommending the proposal for approval of the 6st respondent.

2. Petitioner would submit that she was appointed as a Secondary Grade Teacher in the 5th respondent School on 01.03.2018 in the place of Mrs.Helan Thilagavathi who retired on on 31.05.2018. Proposal seeking approval of appointment of the petitioner was forwarded to the 1st respondent, however, no



orders were passed. Aggrieved, petitioner preferred a writ petition in W.P.No.17369 of 2023 wherein this Court vide order dated 14.06.2023 directed the 1st respondent to pass orders on the proposal seeking approval of petitioner's appointment. Despite the above directions, no orders have been passed by the 1st respondent till date. While approval of petitioner's appointment as the Secondary Grade Teacher in the 5th respondent School continues to remain pending with the 1st Respondent, the 5th respondent School has proceeded to appoint the 6th respondent to the same post held by the petitioner since 31.05.2018, vide order of appointment dated 09.06.2023.

3. It is the case of the petitioner as well as the 6th respondent that on the basis of interim order of this Court dated 18.07.2023 both have been working with the 5th respondent School and continue to do so till date. It may be relevant to note that this is a Special School meant to impart education to mentally challenged children and the qualification as per Annexure V of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974, is as under:

II Qualifications for Appointment as Teachers in the Private Special Schools for the (1) Deaf and Dumb, (2) Blind (3) Mentally Retarded:

<i>Name of the Post</i>	<i>Qualifications</i>
<i>(1)</i>	<i>(2)</i>
<i>1.Headmaster in the Special Schools for Deaf and Dumb</i>	<i>B.A. or B.Sc., Or its equivalent and Trained Teachers' Certificate</i>



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<i>(High School)</i>	<i>of Collegiate Grade and Senior Diploma in teaching the Deaf and Dumb.</i>
<i>2. Headmaster in the Special Schools for the Blind (High School)</i>	<i>B.A. or B.Sc., or its equivalent and Trained Teachers' Certificate of Collegiate Grade and Senior Diploma in teaching the Blind.</i>
<i>3. Headmaster in the Special School for the mentally retarded (High School)</i>	<i>B.A. or B.Sc., or its equivalent and Trained Teachers' Certificate of Collegiate Grade and Senior Diploma in teaching the mentally retarded.</i>
<i>4. Teachers in the Special School for the Deaf and Dumb (High School Standards IX to XI)</i>	<i>B.A., or B.Sc., or its equivalent and Trained Teachers' Certificate of Collegiate Grade and Senior Diploma in teaching the Deaf and Dumb.</i>
<i>5. Teachers in the Special School for the Blind (High School Standards IX to XI)</i>	<i>B.A. or B.Sc., or its equivalent and Trained Teachers' Certificate of Collegiate Grade; and Senior Diploma in teaching the Blind.</i>
<i>6. Teachers in the Special School for the mentally retarded (High School Standards IX to XI)</i>	<i>B.A., or B.Sc., or its equivalent and Trained Teachers' Certificate of Collegiate Grade; and Senior Diploma in teaching the mentally retarded.</i>
<i>7. Teachers in the Special School for the Deaf and Dumb (Primary and Middle School Standard)</i>	<i>S.S.L.C. or its equivalent; and Trained Teachers' Certificate of Secondary Grade; and Junior Diploma in teaching the Deaf and Dumb.</i>



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<i>8. Teachers in the Special School for the Blind (Primary and Middle School Standards)</i>	<i>Trained Teachers Certificate of Secondary Grade and Junior Diploma in Teaching the Blind.</i>
<i>9. Teachers in the Special School for the mentally retarded (Primary and Middle School Standard)</i>	<i>Trained Teachers Certificate of Secondary Grade and Junior Diploma in teaching the mentally retarded.</i>

4. Learned Senior Advocate appearing on behalf of the 6th respondent would submit that the 6th respondent would satisfy the qualification criteria. Learned counsel for petitioner would submit that they also satisfy the criteria by virtue of an equivalent certificate.

5. It is brought to the notice of this Court that there are two vacancies in the post held by the petitioner and 6th respondent, thus both can be accommodated, if eligible.

6. In view of the fact that two vacancies are available and both the petitioner as well as the 6th respondent have been working for the past 9 years and 3 years respectively, this Court is inclined to direct that the appointment of both petitioner and 6th respondent be approved subject to possessing requisite qualification. If for any reason there is any doubt regarding the qualification of petitioner (or) 6th respondent, they shall be put on notice, heard and appropriate



orders shall be passed in accordance with law. The above exercise shall be carried out within a period of 12 weeks from the date of receipt of a copy of this order.

7. In view thereof, the impugned orders are set aside and the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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W.P. No.21022 of 2



To:

- 1.The Commissioner for Differently Abled
Lady Wellington College Campus,
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MOHAMMED SHAFFIQ J.

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