



W.P(MD)No.286 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.286 of 2026

and

WMP(MD)No.286 of 2026

M.A.V.M.M.Higher Secondary School,
Represented by its Secretary,
K.Ponnambalam,
Yanaikal, Madurai – 1.

... Petitioner

Vs

1.Tamil Nadu State Council for Higher Education,
Represented by its Member Secretary,
Chennai – 5.

2.The Director of School Education,
DPI Campus, Chennai – 6.

3.The Chief Educational Officer,
Madurai District.

4.The District Educational Officer (Secondary),
Melur – 625 106,
Madurai District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari Mandamus, to call for the records pertaining to the Impugned order in O.Mu.No.8411/A3/2025 dated 26.11.2025 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the Respondent No.4 to grant approval for the promotion granted in favour of Mr.P.Jayachandran in the post of Physical Education Teacher with effect from 08.08.2025 with all consequential monetary benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.Ajmal Khan,
Additional Advocate General,
Assisted by
Mr.C.Venkatesh Kumar,
Special Government Pleader

ORDER

The petitioner is an aided private school. They have filed this writ petition to set aside the impugned order dated 26.11.2025 passed by the 4th respondent by which the proposal of the petitioner school to appoint one P.Jayachandran as Physical Education Teacher was rejected on the ground that he did not possess the requisite qualifications stipulated under the Tamil Nadu Private Schools (Regulation) Rules 2023. They



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have also sought a direction to the 4th respondent to grant approval for the promotion granted to P.Jayachandran as Physical Education Teacher.

2.The learned counsel for the petitioner school submits that the post of Physical Education Teacher became vacant due to the retirement of the incumbent teacher on 30.06.2022 and the school committee decided to fill up the post by way of promotion as per Rule 28(2)(a) (iii) of the Tamil Nadu Private Schools (Regulation) Rules 2023. A proposal was made by the school committee to appoint one P.Jayachandran, who was working as record clerk, as Physical Education Teacher with effect from 08.08.2025. However, the proposal was rejected vide the impugned order on the ground that he does not possess the necessary qualifications as provided under Annexure IV-A of the Tamil Nadu Private Schools Regulations 2023, specifically the Certificate/ Diploma in Physical Education of not less than two years (or its equivalent) from any institution recognised by the National Council for Teacher Education.

3.The learned counsel further submits that the proposed appointee has completed his B.A. Degree and thereafter the B.P.Ed Degree (Degree



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in Physical Education) which is a higher qualification than the Certificate/ Diploma in Physical Education. Since the aforesaid rules permit an equivalent qualification to the Certificate/ Diploma in Physical Education of not less than two years, the reason assigned for rejecting the proposal is arbitrary. The learned counsel has also referred to the decision of the Hon'ble Supreme Court in ***Jyothi K.K. And others vs. Kerala Public Service Commission and others [2010 (15) SCC 596]*** and submitted that degree in relevant subject is a higher qualification than the diploma.

4.The learned Additional Advocate General by referring to Annexure IV-A and Rule 28(4)(b) of the Tamil Nadu Private Schools (Regulation) Rules 2023 submits that the petitioner does not possess Certificate/ Diploma in Physical Education which is an essential qualification to be appointed as Physical Education teacher. He further submits that the possession of a degree or professional qualification cannot replace the basic qualification required and hence the proposal of the petitioner school was rightly rejected.



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5.This court has considered the rival submission made and perused the materials.

6.The petitioner school has made a proposal to appoint one P.Jayachandran, who was working as Record Clerk, as Physical Education Teacher, due to retirement of the incumbent teacher. The proposal was rejected vide the impugned order dated 26.11.2025 that the proposed appointee does not possess the Certificate/ Diploma in Physical Education as required under the Tamil Nadu Private Schools (Regulation) Rules 2023. The primary contention of the petitioner school is that the proposed appointee has completed B.P.Ed Degree and the same is a higher qualification than the Certificate/ Diploma in Physical Education.

7.Since the above Rule itself permits an equivalent qualification to be considered, the issue of whether the petitioner's qualification is equal to the Certificate/ Diploma in Physical Education shall be referred to an Equivalence Committee by the respondents. On the basis of the decision of the Equivalence Committee, the proposal of the petitioner school shall be reconsidered.



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8. With the above directions, this writ petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

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NCC: Yes/No
Index: Yes/No
Internet: Yes

DSK

To

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