



W.A(MD) No.409 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 09.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A(MD) No.409 of 2021
&
C.M.P.(MD)No.1506 of 2021**

1.The Secretary,
Government of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai-600 009.

2.The Director of School Education,
D.P.I Campus, College Road,
Chennai-600 006.

3.The Director of Elementary Education,
School Education,
D.P.I.Campus,
College Road,
Chennai-600 006.

... Appellants

Vs.

X.Salamonraj

... Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 20.03.2020 passed in W.P. (MD)No.5824 of 2020 on the file of this Court and dismiss the writ petition.

For Appellants : Mr.T.Amjadkhan
Government Advocate

For Respondent : Mr.G.Anto Prince

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The Government has filed this writ appeal challenging the order dated 20.03.2020 passed by the learned single Judge allowing W.P. (MD)No.5824 of 2020 filed by the respondent herein. The respondent herein was appointed as junior secondary grade teacher on consolidated pay on 28.09.2004. His service was regularised on 01.06.2006. 14 years later, the respondent herein filed a writ of mandamus that his services must be regularised from the date of his initial appointment. The learned single Judge allowed the writ petition. Challenging the same, this writ



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appeal has been filed.

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3. The issue raised in this writ appeal is no longer *res integra*.

Vide order dated 01.06.2021 in W.A.(MD)No.299 of 2021 etc., batch (The Secretary Vs. C.Murugan), the Division Bench of this Court had held as follows:-

"59. That apart, the belated attempt made by the respondents / writ petitioners is liable to be rejected for several reasons. Firstly, they are estopped from contending contrary to the Government Orders, contrary to the terms and conditions of the Government Orders and contrary to the conditions contained in the agreement to which they have agreed. Secondly, the challenge to the policy decision to downgrade the post to that of the Junior Grade Teacher was rejected and the decision of the Government has been upheld. The request made by some of the teachers to reckon the period of service prior to 01.06.2006 was directed to be considered by the Director of School Education pursuant to an order passed in a Writ Petition. The representation was considered and rejected and the same has not been challenged and after lapse of nearly fourteen years, suddenly the respondents / writ petitions have come up with this fanciful claim, which is absolutely untenable and unsustainable in law.

60. The present attempt of the respondents / writ petitioners is to march over the regularly promoted PG Assistants, who are only 62 number, whereas the Junior Grade Teachers, like the respondents / writ petitioners are more than 3000. Thus, the relief sought for by the respondents / writ petitioners is misconceived and liable to be rejected and accordingly, rejected."



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4. The said decision was followed in quite a subsequent Division Bench decisions. One such order is dated 14.10.2025 made in W.A. (MD)No.435 of 2020 (The Government of Tamil Nadu represented by its Secretary Vs. Chinnappakumaran). The writ petitioner herein is identically placed.

5. Respectfully adopting the approach made in the earlier Division Bench decisions, the order of the learned single Judge is set aside. The writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.K.M., J.)
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