



W.A(MD)No.611 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.A(MD)No.611 of 2021

and

C.M.P(MD)No.2771 of 2021

D.I.Chelladurai

... Appellant /
Petitioner

Vs.

- 1.The Director of School Education,
College Road,
Chennai - 6.
- 2.The District Educational Officer,
Office of the District Educational Officer,
Seenavana Higher Secondary School Campus,
Tuticorin.
- 3.T.D.T.A. Company,
Company Under the Companies Act,
5, Punithavathiar Street,
Palayamkottai - 627 002.
- 4.The Manager,
High Schools / Higher Secondary Schools
And Special Schools,
Tuticorin Nazareth Diocese,
Tuticorin.



W.A(MD)No.611 of 2021

5.S.Prabakaran,
Headmaster (Retd.),
Ranji Aaron Higher Secondary School,
Anandapuram (Post),
Tuticorin District.

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act to allow the Writ Appeal by setting aside the order dated 02.11.2020 passed by this Court in W.P(MD)No.9325 of 2012.

For Appellant : Mr.S.Ramsundarvijayraj
for M/s.Veera Associates

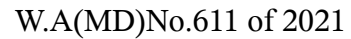
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
for R.1 & R.2

No Appearance for R.3 to R.5

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

The unsuccessful writ petitioner is the appellant before us. The appellant as well as the fifth respondent were employed in the school run by the third respondent diocese. When vacancy arose in the post of Headmaster in the said school, the fifth respondent was promoted to the said post. The writ petitioner was also considered. However, the Management selected the fifth respondent for the said post. Challenging



vide order dated 02.11.2020 dismissed the said writ petition.

2. It is not in dispute that the school in question is a minority institution. The entire case of the writ petitioner is that the fifth respondent is junior to him and that the impugned promotion has to be set aside for having been overlooked the seniority principle.

“15. Judged in light of the observations made by the Supreme Court in (2007) 1 SCC 386 (supra), the provisions which lay down qualification for appointment of teachers are obviously required to be followed; whereas the procedure contemplated in Rule 15(4) of the Rules severely constricting the scope of the discretion of the Management in appointment of teachers and confining the same to a particular source would be violative of Article 30(1). Therefore, such provisions



W.A(MD)No.611 of 2021

are not required to be followed by the minority institutions. In view of the above, we cannot agree with the view expressed by the learned single Judge under the impugned judgment and such decision is liable to be over-turned.”

Therefore, the entire case of the writ petitioner fails and the learned single Judge rightly dismissed the writ petition.

4.The learned Special Government Pleader points out that, during the pendency of the writ petition, promotion of the fifth respondent was also approved by the authorities on 05.02.2014. Both the writ petitioner as well as the fifth respondent have retired from service. There is no merit in this writ appeal.

5.This Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.P, J.]
17.04.2026

MGA

To

1.The Director of School Education,
College Road, Chennai - 6.

4/6



W.A(MD)No.611 of 2021

WEB COPY

2.The District Educational Officer,
Office of the District Educational Officer,
Seenavana Higher Secondary School Campus,
Tuticorin.

3.T.D.T.A. Company,
Company Under the Companies Act,
5, Punithavathiar Street,
Palayamkottai - 627 002.

4.The Manager,
High Schools / Higher Secondary Schools
And Special Schools,
Tuticorin Nazareth Diocese,
Tuticorin.



WEB COPY



W.A(MD)No.611 of 2021

G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

MGA

W.A(MD)No.611 of 2021

17.04.2026