



W.P.(MD).No.5649 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5649 of 2026

and

W..M.P(MD) Nos. 4702 and 4703 of 2026

M.Rajalakshmi

... Petitioner

Vs.

1.The District Educational Officer,
(Elementary)
Tenkasi District.

2. The Block Educational Officer,
Tenkasi Block,
Tenkasi District.

3. R.Subbulakshmi,
Secretary,
Sri Ponnambalam Middle School,
Tenkasi, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the first respondent in his proceedings Mu.Mu.No.379/A1/2025, dated 10.02.2025 and quash the same and direct the respondents to approve the petitioner as a Secretary of Sri Ponnambalam Middle School as per the scheme degree dated 19.12.2020



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passed by Principle District Munsif Court, Tenkasi in O.S.No.367 of 2013 for the 5th turn as a Secretary with all other consequential benefits and pass such other or further orders as this Honble Court may deem fit.

For Petitioner : Mr.V.Panneer Selvam
For R1 & R2 : Mr.N.Satheesh Kumar
Additional Government Pleader
For R3 : Mr.Thirunavukkarasu

ORDER

The present Writ Petition has been filed challenging the order passed by the first respondent herein dated 10.02.2025, wherein, the third respondent has approved the petitioner as a Secretary of Sri Ponnambalam Middle School, Tenkasi District.

2. According to the learned counsel appearing for the petitioner, with regard to the administration of the said School, a suit in O.S.No.367 of 2013 was filed before the Principal District Munsif Court, Tenkasi. The said suit was disposed of on 19.12.2020 wherein, turn system has been recognized between the plaintiffs and the defendants therein and they have been granted



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specific turn periods so that they can operate as the Secretary of the School.

However, when the impugned order was passed on 10.02.2025 by the first respondent, the Civil Court Decree dated 19.12.2020 was not taken into consideration. He further submitted that the order impugned in the writ petition is clearly in violation of Civil Court decree, dated 19.12.2020. Hence, the present writ petition.

3. Per contra, the learned counsel appearing for the third respondent submitted that the period as contemplated under the Private School Regulation Act is three years and therefore, the order of the authorities dated 10.02.2025 may be sustained. He further submitted that during her tenure she has spent more than Rs.10,00,000/- (Rupees Ten Lakhs only) towards renovation of the school building and the petitioner is not coming forward to offer her share as per the Civil Court Decree. When the petitioner is not coming forward to offer her share for the renovation of the building, as per the civil Court decree, the petitioner cannot rely upon the civil Court decree and seek her turn.



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4. The learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the authorities would consider the Civil Court decree and they would accordingly pass orders.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Under the impugned order dated 10.02.2025, the third respondent has been approved as the Secretary of the School for a period of three years between 01.02.2025 and 31.01.2028. It is clear from the impugned order that the Civil Court decree dated 19.02.2020 passed in O.S.No.367 of 2013 by the Principal District Munsif Court, Tenkasi, has not been taken into consideration. In such circumstances, this Court is constrained to set aside the order impugned in the writ petition.

7. In view of the above said deliberations, the matter is remitted back to the file of the first respondent to consider the request of the third respondent as well as the writ petitioner and all other interested parties as per the Civil Court Decree in O.S.No.367 of 2013 and pass orders on or before



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30.04.2026. Till such time, the third respondent in the writ petition shall be permitted to operate as the Secretary of the School as per the impugned order dated 10.02.2025.

8. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

27.02.2026

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

1. The District Educational Officer,
(Elementary)
Tenkasi District.
2. The Block Educational Officer,
Tenkasi Block,
Tenkasi District.



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