



W.P(MD) No.6496 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.04.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD) No.6496 of 2026

The Correspondent
Melapallivasal Girls Higher Secondary School,
Ilayangudi, Sivagangai District.

... Petitioner

Vs.

1.The State of Tamilnadu
Rep. by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600 009.

2.The Director of School Education,
College Road,
Chennai - 600 009.

3.The Chief Educational Officer
Sivagangai,
Sivagangai District.

4.The District Educational Officer
(Secondary Education),
Sivagangai,
Sivagangai District.

... Respondents



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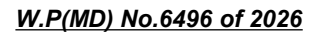
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order issued by the 3rd respondent Chief Educational Officer in Na. Ka.No.4116/a2/2024 dated 16.12.2025 quash the same and further direct the 3rd respondent Chief Educational Officer herein to approve forthwith the appointment of S.A.Sabeer Ahamed as Office Assistant w.e.f., 02.08.2021 in the petitioner's school namely, Melapallivasal Girls Higher Secondary School, Ilayangudi and disburse the grant-in-aid towards his salary with all attendant benefits from the said date.

For Petitioner : Mrs.A.Amala

For Respondents : Mr.N.Satheesh Kumar,
Additional Government Pleader

ORDER

The petitioner school is before this Court challenging the proceedings bearing No.Na. Ka.No.4116/a2/2024 dated 16.12.2025, whereby the 3rd respondent refused to approve the appointment of an Office Assistant, by name, S.A.Sabeer Ahamed, on the ground that there



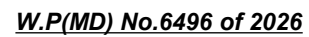


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5. She further contended that the very same 3rd respondent having refused to approve the appointment of the Office Assistant in the petitioner school subsequently, through proceedings No.மு.மு.எண். 1465/௮2/2023 dated 12.05.2023 approved the appointment of the Office Assistant in some other school within the same District, though the candidate covered by the said proceedings was appointed much later to the appointment of Mr.S.A.Sabeer Ahamed, without taking into consideration the orders issued in G.O.(Ms)No.238, dated 13.11.2018. In spite of taking a specific ground in the affidavit filed in support of the writ petition and a copy of the said proceedings dated 12.05.2023 is also placed in the typed set of papers, the counter affidavit filed by the 4th respondent is totally silent on this aspect.

6. It is also not in dispute that the operation of G.O.(Ms) No.238 dated 13.11.2018 has been stayed by this Court and the said interim stay order is still operating. Thereby, the said G.O.(Ms)No.238 dated 13.11.2018 cannot be said to be in operation. Therefore, the action of the 3rd respondent in placing reliance on Government Order, which is



7. In the light of the above and taking into consideration of the operation of G.O.(Ms)No.238 dated 13.11.2018 is stayed and the same is continuing for the past about more than 5 years. The impugned order issued solely placing reliance on the said order. The Order cannot be sustained and the same is liable to be set aside.

8. Accordingly, the writ petition is allowed. The impugned proceedings No.Na.Ka.No.4116/a2/2024 dated 16.12.2025, is hereby quashed and taking into consideration of the fact that the 3rd respondent



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has in fact approved the appointment of Office Assistant in another school under similar situation, the 3rd respondent is directed to grant approval for appointment of Mr.S.A.Sabeer Ahamed as Office Assistant in the petitioner school, on the similar lines as was granted in favour of another appointment in another school through proceedings No.மு.மு.எண்.1465/அ2/2023 dated 12.05.2023. The 3rd respondent is directed to pass appropriate orders as directed above, as expeditiously as possible, at any rate within a period of six (6) weeks from the date of receipt of a copy of this order. No costs.

08.04.2026

Index : Yes / No

NCC : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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