



W.P(MD)No. 8795 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :01.04.2026

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P(MD)No. 8795 of 2026
and
W.M.P.(MD) No.7119 of 2026

1. V.Shanmugalakshmi

2. R.Mariammal.

... Petitioners

Vs

1. State of Tamil Nadu,
Represented by its Principal Secretary to the Government,
School Education Department,
Secretariat,
Chennai-9.

2. The Director of Elementary Education,
DPI Campus,
Chennai-6.

3. The District Educational Officer (Elementary),
District Educational Office,
Virudhunagar,
Virudhunagar District.

4. The District Educational Officer (Elementary Education),
District Educational Office
Paramakudi
Ramnathapuram District.



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5. The Block Educational Officer,
Thiruchuzhi Union,
Virudhunagar District.

6. The Block Educational Officer,
Block Educational Office
Paramakudi.

7. The Block Educational Officer,
Virudhunagar Block,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondent No.2 to transfer the Petitioners on deployment to the needy school, namely Nadar Primary School, Kullampatti, Thiruchuzhi Union, Virudhunagar District by considering the representation of the petitioners dated 16.03.2026 in accordance with the Schedule appended to the Right of Children to Free and Compulsory Education Act, 2009 and Section 28 of the Tamil Nadu Private Schools Regulation Rules, 2023.

For Petitioner : Mr. T.Aswin Raja Simman

For Respondents : Mr.N.Sathish Kumar
Additional Government Pleader

ORDER

The present writ petition has been filed for a Mandamus to direct the second respondent to transfer the petitioners on deployment to the needy school, namely Nadar Primary School, Kullampatti, Thiruchuzhi



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Union, Virudhunagar District by considering the representation of the petitioners, dated 16.03.2026 in accordance with the Schedule appended to the Right of Children to Free and Compulsory Education Act, 2009 and Section 28 of the Tamil Nadu Private Schools Regulation Rules, 2023.

2. Originally, the petitioners were appointed as Secondary Grade Teachers in K.K.S.S.N. Memorial Middle School, Rosalpatti, Virudhunagar and Sri Ramalinga Vilas Primary School, Paramakudi, respectively. Since the parent school had surplus teachers, the petitioners are deputed to Nadar Primary School, Kullampatti, Thiruchuzhi, Virudhunagar.

3. The contention of the petitioners is that under the guise of surplus, the petitioners are transferred repeatedly to several schools. Therefore, they seek protection. Further, the contention of the petitioners is that since the Nadar Primary School is a needy school, if the post is sanctioned to the said school, the petitioners would be retained in the same school itself. Hence, they seek permanent deployment to the said



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school.

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4. The Additional Government Pleader for the respondents submits that for the convenience of the petitioners, new posts cannot be sanctioned to the said school since there is a bar under Section 14A of the Tamil Nadu Private Schools (Regulation) Act, 1973 (corresponding to Section 36 of the Tamil Nadu Private Schools (Regulation) Act, 2018).

5. After hearing the rival submissions on either side, this Court is of the considered view that the Nadar Primary School is not entitled to sanction of additional posts since there is a bar under Section 14A of the Tamil Nadu Private Schools (Regulation) Act, 1973 (corresponding to Section 36 of the Tamil Nadu Private Schools (Regulation) Act, 2018). Therefore, new posts cannot be sanctioned to the Nadar Primary School. However, as far as the deputation of the petitioners is concerned, the Nadar Primary School shall retain the petitioners on deputation until their strength decreases. In case the strength of the parent schools, namely, K.K.S.S.N. Memorial Middle School, Rosalpatti, Virudhunagar and Sri Ramalinga Vilas Primary School, Paramakudi increases, the petitioners may be re-deputed to the parent schools themselves.



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6. With these directions, this Writ Petition is disposed of. No costs.

W.M.P.(MD) No.7119 of 2026 is ordered.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

01.04.2026

To

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Chennai-9.

2. The Director of Elementary Education,
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Chennai-6.

3. The District Educational Officer (Elementary),
District Educational Office,
Virudhunagar,
Virudhunagar District.

4. The District Educational Officer (Elementary Education),
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Ramnathapuram District.

5. The Block Educational Officer,
Thiruchuzhi Union,

5/6



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Virudhunagar District.

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S.SRIMATHY.,J.

apd

6. The Block Educational Officer,
Block Educational Office
Paramakudi.

7. The Block Educational Officer,
Virudhunagar Block,
Virudhunagar District.

ORDER MADE IN

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