



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.15757 of 2022

S.Selvarani,
Headmistress in Charge,
Sri Renuga Hindu High School,
W.Pudupatti - 626 116,
Virudhunagar District.

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort St.George, Chennai - 600 009.
2. The Commissioner of School Education,
DPI Campus, 17, College Road,
Nungambakkam,
Chennai - 600 008.
3. The Director of School Education,
DPI Campus, 17, College Road,
Nungambakkam,
Chennai - 600 008.
4. The Joint Director of School Education,
(Secondary Education), DPI Campus,
17, College Road, Nungambakkam,
Chennai - 600 008.
5. The District Educational Officer,
Sivakasi,
Virudhunagar District.



6. Sri Renuga Hindu High School,
Rep by its Secretary in Charge,
W.Pudupatti - 626 116,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 4th respondent herein in O.Mu.No. 066290/D2/E1/2021 dated 02.02.2022, quash the same and further direct the respondents herein to grant promotion to the petitioner as Headmistress in the 6th respondent school from 01.06.2015 onwards by invoking appropriate action under section 18 A of the T.N Recongnised Private Schools (Regulation) Act.

For Petitioner : M/s.E.V.N.Siva

For Respondents : Mr.P.T.Thiraviyam
Government Advocate for R1 to R5

ORDER

The present writ petition has been filed challenging the order passed by the 4th respondent wherein the request of the petitioner to promote her as a regular Headmaster has been rejected.

2. A perusal of the records reveal that the petitioner is the senior most teacher in the 6th respondent school. After the retirement of the Headmaster, she is performing the functions of the headmistress in-charge in the said school.



Due to inter-se dispute within the Management, the school is under direct payment system.

3. The petitioner has moved the educational authorities to promote and appoint her as the regular Headmaster of the school. The said request has been rejected under the impugned order on the ground that when the school is under direct payment, such a request cannot be acceded to. Challenging the same, the present writ petition has been filed.

4. According to the learned Counsel appearing for the writ petitioner, since there is no rival claim to the post of Headmaster, the request of the petitioner could be considered. He further submits that the petitioner is working as a Headmistress in-charge for so many years and therefore, the service benefits to the writ petitioner are being denied. He also relied upon G.O.Ms.No. 881, Education Department, dated 04.06.1979 and submitted that in case of schools under direct payment system, certain powers have been delegated to the educational authorities. The said power can be enforced by them and the petitioner may be promoted to the post of Headmaster.



5. Per contra, the learned Government Advocate appearing for the respondents 1 to 5, submitted that when the School is under direct payment, no policy decision can be taken except with regard to disbursement of salary and appointment of substitutes on a temporary basis.

6. I have considered the submissions made on either side and perused the materials available on record.

7. The facts narrated above will clearly indicate that the petitioner is the senior most teacher and she aspires to be appointed as a regular headmistress of the 6th respondent School. The appointing authority is the Management of the 6th respondent School. The same cannot be usurped by the educational authorities merely because the School is under direct payment.

8. A perusal of G.O.Ms.No.881, Education Department, dated 04.06.1979, clearly reveals that the powers delegated to the educational authorities relate only to relieving of the teaching and non-teaching staff consequent to resignation and retirement. They have also been empowered to appoint substitutes on a temporary basis where new posts are created or due to retirement, resignation or leave vacancies. Therefore, it is clear that the



educational authorities are not empowered to make any fresh appointment or promotion when the School is under direct payment.

9. In view of the above said facts, the prayer sought for in the writ petition cannot be granted. However, it is for the writ petitioner to move the first respondent in case if she feels that the 6th respondent School could be taken over by the Government.

10. With the above said observations, this writ petition stands disposed of. No costs.

12.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

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