



Rev.AplC(MD)No.183 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2026

CORAM:

THE HONOURABLE **HON'BLE MR JUSTICE N.SATHISH KUMAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

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The Correspondent,
St.Mary's Higher Secondary School,
Colachel – 629 251,
Kanyakumari District.

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented 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,
Nagercoil, Kanyakumari District.

4.The District Educational Officer,
Nagercoil, Kanyakumari District.

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 & 2 r/w Section 114 of CPC against the order of this Court in W.A.(MD)No.709 of 2024, dated



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03.06.2025.

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For Petitioner :M/s.A.Amala

For Respondents :Mr.J.Ashok,

Additional Government Pleader

ORDER

(Order of the Court was delivered by **S.SRIMATHY, J.**)

The present review application is filed against the judgement, dated 03.06.2025 passed in W.A.(MD)No.709 of 2024.

2.The primary contention of the petitioner is the petitioner was not heard at all. It is submitted that the writ appeal came up for admission on 27.03.2025. After hearing the Additional Government Pleader an interim stay was granted. Again it was posted on 28.04.2025 as item No.142 and without hearing the parties, the case was reserved for orders. Hence, the petitioner was not heard at all.

3.When the writ appeal came up for hearing, after hearing the Additional Government Pleader, this Court was of the opinion *prima facie* case



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was made out for granting an interim order and posted the case for final hearing on 28.04.2025. When the case was heard, the petitioner herein submitted that since the staff fixation was challenged in another case, the writ appeal cannot be heard. But this Court was of the considered opinion when the School was granted only grant in aid to the Tamil Medium alone English Medium cannot be taken into consideration while fixing staff fixation. Therefore, the argument of the petitioner herein was rejected. Thereafter, this Court proceeded further and orders were reserved. Therefore, the contention of the petitioner that the petitioner was not heard would not arise.

4.The next contention of the petitioner is that the school was granted permission to start one English Medium section vide proceedings dated 29.08.1980 in K.Dis.No.185296/W7/80.

5.On perusing the same, it is seen that the school was granted permission alone and the said proceeding is not granting for grant in aid. Whenever minority institutions started school, permission would be granted by the Government. However, for grant in aid a separate proceeding ought to be passed. Based on permission alone, the school is not entitled to grant in aid.



Therefore, the said contention is also rejected.

6.The next contention of the petitioner is that there are 6 groups and 42 periods. One PG Assistant Chemistry can handle 28 periods per week. For teaching remaining 14 periods, another PG Assistant Chemistry is necessary. It is further submitted that the school is having two Tamil Medium and one English Medium for Physics, Chemistry, Botany, Zoology and Maths. When there are 3 groups, a Teacher is necessary for each group. Further, only the groups have to be taken into account and not the number of students. The said contention of the petitioner cannot be accepted.

7.A teacher will be granted to a school based on number of periods as well as number of students. In the present case, in the group with Maths, Physics, Chemistry, Biology there are only 19 students in 11th standard and 23 students in 12th standard, further, there is no English Medium at all for the said group. For the next group, i.e., Physics, Chemistry, Botany, Zoology, there are 27 students in 11th standard and 20 students in 12th standard for Tamil Medium and for English Medium, 62 students are in 11th standard and 50 students are in 12th standard. In such circumstances, for the Physics, Chemistry, Biology,



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under Tamil Medium both sections may be taken together and classes can be conducted. If the same is implemented, a separate teacher will not be necessary. Therefore, by any angle an additional teacher to the school is not necessary, even as per the records. Therefore, the claim of the petitioner to provide additional teacher is beyond the scope of G.O.No.525, School Education, dated 29.12.1997 and the facts and circumstances of the case. All the above facts were considered while passing judgment in the writ appeal and no new grounds were raised.

8.With the above observations, the review application is dismissed.

No costs.

[N.S.K., J.] [S.S.Y., J.]
09.04.2026

Index : Yes / No

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To
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- 1.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,
Nagercoil, Kanyakumari District.
- 4.The District Educational Officer,
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