

Rev.Appl.No.220 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Rev. Appl.No.220 of 2025
and C.M.P.No.26237 of 2025

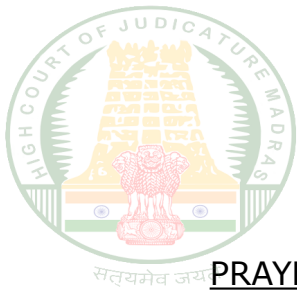
R.R.Lakshmi
No.1/50, 3rd street, Bharathi Nagar,
ECR, Palavakkam, Chennai-600041.

Appellant(s)

Vs

1. The Head Master
The CP and D Educational Trusts,
Hr. Secondary School, Tondiarpet,
Chennai-600081
2. The Director of School of Education
DPI Complex, College Road,
Nungambakkam, Chennai-600006,
3. The Chairman
The Chennai Port and Dock Educational
Trust, Rajaji Salai, Chennai-600001.
4. The Senior Deputy Secretary cum
Correspondent
The Chennai Port and Dock Educational
Trust, Rajaji Salai, Chennai-600001
(R3 and R4 impleaded as per order dt.
25.09.2023 made in WMP No.19996/2023)

Respondent(s)



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PRAYER: Review Application filed under Section 114 read with Order XLVII Rules 1 and 2 of the of the Civil Procedure Code to review the order dated 23.04.2025 passed in W.A.No.1657 of 2024.

For Appellant(s): Ms.R.R.Santhi Devi

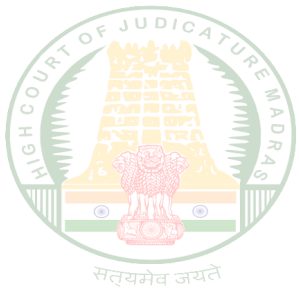
For Respondent(s): Mr.C.A.Ramanan
Govt Advocate
for R2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This review application seeks to review the judgment dated 23.04.2025 passed in W.A.No.1657 of 2024, wherein a Division Bench of this court affirmed the dismissal of W.P.No.13565 of 2022 by the learned Single Judge vide order dated 28.03.2024.

2. The review applicant, who was appointed as a teacher in the respondent/school, superannuated upon attaining the age of 58 years on 31.05.2021. It is the case of the applicant that she is entitlement to extended service up to 60 years under G.O.Ms.No.51, dated 07.05.2020 and G.O.Ms.No.29, dated 25.02.2021.



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3. The respondent school is a private, unaided institution administered by the Chennai Port and Dock Educational Trust, receiving no financial aid or grant-in-aid from the State Exchequer.

4. By Circular dated 28.03.2022, the school management resolved to raise the retirement age from 58 to 60 years prospectively with effect from 31.03.2022.

5. Learned counsel for the applicant contends that the circular should be applied retrospectively to cover her retirement, that the recognition granted by the State obligates adoption of government orders regarding retirement, and that extending the age of retirement to other teachers creates hostile discrimination under Article 14 of the Constitution.

6. The reliance placed by learned counsel for the applicant on G.O.Ms.No.51 and G.O.Ms.No.29 is misconceived. The executive notifications issued by the Government of Tamil Nadu expressly apply to government servants, teachers in government-aided institutions and statutory board employees. In the case at hand, the



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respondent/school is, admittedly, an unaided private institution governed exclusively by its internal service bye-laws and trust regulations. It draws no financial aid from the State.

7. The grant of regulatory recognition under the Tamil Nadu Recognised Private Schools (Regulation) Act does not clothe an unaided school with the character of a State instrumentality or an aided school. Conditions of service in private, unaided schools remain governed by private contract and management discretion.

8. The contention that the Circular dated 28.03.2022 issued by the respondent/school must be applied retrospectively is legally untenable. The decision to increase the superannuation age from 58 to 60 years was taken by the School Management Committee on 23.03.2022 and notified on 28.03.2022. It falls within the managerial discretion of the trust. The circular explicitly provides that the enhanced superannuation age applies only to employees in regular service as on 31.03.2022. The applicant reached the age of 58 and was superannuated on 31.05.2021, i.e., ten months prior to the implementation date, and her terminal benefits were settled.

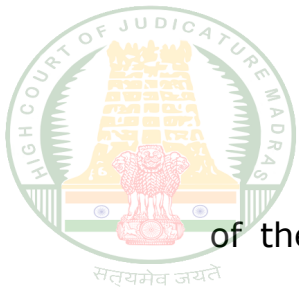


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Upon retirement, the master-servant relationship ceased and the court cannot revive an expired contract of service to confer any benefit.

9. The contention of learned counsel for the review applicant that another teacher was granted an extension of service, thereby entitling the applicant to similar treatment, cannot be countenanced. An individual extension of service or contractual re-employment granted to a particular teacher due to specific administrative exigencies does not equate to a general enhancement of the statutory retirement age. An employer's discretionary decision to extend or re-employ an individual teacher based on institutional requirements creates no enforceable legal right in favour of other superannuated employees. The applicant having lawfully retired on 31.05.2021 cannot claim an automatic extension of service as a matter of right.

10. It is well settled that the power of review can be exercised for the correction of a mistake, but not to substitute a view. The review court does not sit in appeal over its own order. A rehearing



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of the matter is impermissible. It constitutes an exception to the general rule that once a judgment is signed or pronounced, it should not be altered. An error which has to be established by a long-drawn process of reasoning on points where there may conceivably be two opinions can hardly be said to be an error apparent on the face of the record.

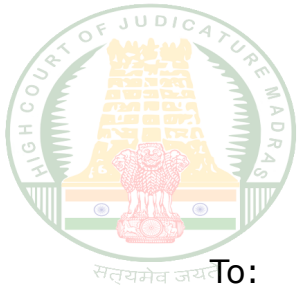
11. No error apparent on the face of the record has been established by the applicant. The applicant has merely re-canvassed arguments that were fully considered, analyzed and rejected in the writ appeal.

12. The review application is devoid of merits and is, accordingly, dismissed. There shall be no order as to costs. Consequently, connected interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)

20.08.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi

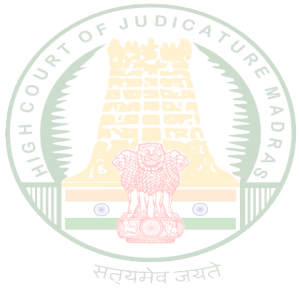


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To:

WEB COPY

1. The Director of School of Education
DPI Complex, College Road,
Nungambakkam, Chennai-600006,



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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