



W.P.(MD) No.18297 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.18297 of 2026

and

W.M.P.(MD) Nos.13537 & 13538 of 2026

Sr.S.Punitha

... Petitioner

-VS-

- 1.The Chief Educational Officer
Madurai, Madurai District
- 2.The District Educational Officer
(Secondary Education)
Madurai, Madurai District
- 3.The District Educational Officer
(Elementary Education)
Thirumangalam, Madurai District
- 4.The Block Educational Officer
Usilampatti, Madurai District
- 5.The Correspondent
R.C.Little Flower Branch Primary School
Usilampatti, Madurai District
- 6.The Correspondent
Holy Family Girls Higher Secondary School
Gnanavolivupuram
Madurai District

... Respondents



W.P.(MD) No.18297 of 2026

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned proceeding issued by the fourth respondent Block Educational Officer in Moo.Mu.No.753/A3/2025, dated 05.2025, quash the same and further direct the third respondent herein to approve / countersign forthwith the relieving order w.e.f.02.06.2025 as submitted by the fifth respondent school and further direct the first respondent Chief Educational Officer herein to approve forthwith the transfer cum promotion of petitioner as BT Assistant Maths in the sixth respondent school w.e.f. 02.06.2025 and disburse grant aid towards her salary along with arrears.

For Petitioner : Ms.A.Amala

For Respondents : Mrs.K.Porkodi
Counsel for the Govt. of Tamil Nadu for R1 to R4

ORDER

Mrs.K.Porkodi, learned counsel for the Government of Tamil Nadu, takes notice for the respondents 1 to 4.

2. In view of nature of the relief sought in this writ petition, notice to the respondents 5 & 6 is dispensed with.



W.P.(MD) No.18297 of 2026

WEB COPY

3. With the consent of both sides, this writ petition is disposed of at the admission stage.

4. Heard the learned counsel for the petitioner and the learned counsel for the Government of Tamil Nadu appearing for the respondents.

5. The petitioner herein, while working as Headmistress in R.C.Little Flower Primary School, Usilampatti / fifth respondent, was considered by the sixth respondent for promotion to the post of B.T.Assistant in their School and accordingly, the petitioner was relieved from the fifth respondent – School and joined in the promoted post of B.T.Assistant (Maths) in the sixth respondent – School on 02.06.2025. When a request was made by the fifth respondent – School to the fourth respondent seeking to countersign the relieving order of the petitioner, the same was refused to be countersigned by the fourth respondent, by the impugned proceedings dated 18.05.2026, on the ground that the petitioner has acquired Teacher Eligibility Test qualification only on 16.11.2025 and therefore, the approval can be granted only subsequent to the date of passing of the Teacher Eligibility Test. In addition to the said ground, the fourth respondent has pointed out three other



W.P.(MD) No.18297 of 2026

WEB COPY

defects also requiring the fifth respondent – School to comply with the same.

It is aggrieved by the said proceedings dated 18.05.2026, the petitioner has approached this Court by filing the present writ petition contending that Teacher Eligibility Test qualification is not mandatory in respect of the Minority Institutions and the respondents 5 and 6 being Minority Institutions, the fourth respondent ought not to have refused to countersign the relieving order on the ground that the petitioner has acquired Teacher Eligibility Test qualification only on 16.11.2025. Insofar as the other points / defects required to be complied with by the fifth respondent – School are concerned, learned counsel for the petitioner submitted that the fifth respondent – School is ready to fulfil all the defects pointed by the fourth respondent.

6. Mrs.K.Porkodi, learned counsel for the Government of Tamil Nadu, appearing for the respondents 1 to 4, submits that in the light of the law laid down by the Honourable Apex Court in the case of ***Pramati Educational & Cultural Trust vs. Union of India***, reported in ***(2014) 8 SCC 1***, Teacher Eligibility Test qualification is not mandatory in respect of the Minority Institutions.



W.P.(MD) No.18297 of 2026

WEB COPY

7. Now, it is well-settled that the respondents 1 to 4 are not entitled to insist for Teacher Eligibility Test qualification in respect of the teachers working in the Minority Institutions and therefore, the impugned proceedings dated 18.05.2026 issued by the fourth respondent refusing to countersign the reliving order on the ground that the petitioner acquired Teacher Eligibility Test qualification only on 16.11.2025 is bound to be declared as arbitrary and illegal.

8. Accordingly, the impugned proceedings bearing Moo.Mu.No. 753/A3/2025, dated 18.05.2025, issued by the fourth respondent, is hereby quashed insofar as it refuses to countersign the relieving order on the ground that the petitioner has acquired Teacher Eligibility Test qualification only on 16.11.2025. The fifth respondent – School is permitted to resubmit the proposal before the fourth respondent by duly complying with the defects / objections raised by the fourth respondent and on re-submission of the same, the fourth respondent shall forward the same to the third respondent, who in turn shall pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of four weeks from the date of receipt of the proposal from the fourth respondent.



W.P.(MD) No.18297 of 2026

WEB COPY

9. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

30.06.2026

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

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W.P.(MD) No.18297 of 2026

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