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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2026

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THE HONOURABLE MR.JUSTICE N.DILIP KUMAR

W.P.(MD).Nos.8949, 8952 and 8955 of 2017

and

W.M.P.(MD) Nos.6836, 6837, 6842, 6843, 6848 and 6849 of 2017

In W.P.(MD) No.8949 of 2017:-

G.Mareesan

.. Petitioner

Vs.

1.The Government of Tamil Nadu
rep by its Principal Secretary,
School Education Department,
Fort St.George,
Secretariat,
Chennai 600 009.

2.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai 600 009.

3.The Chief Educational Officer,
Trichy.

4.The District Educational Officer,
Trichy.

5.Mukkulathore Higher Secondary School,
rep by its Secretary,
Thiruverumbur,
Trichy 620 013.

.. Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings of the second respondent in Na.Ka.No. 3416/D1/2013, dated 01.03.2017 quash the same and direct the respondents not to insist the petitioner to pass Teacher Eligibility Test.

In W.P.(MD) No.8952 of 2017:-

S.Vijayalakshmi

.. Petitioner

Vs.

1.The Government of Tamil Nadu
rep by its Principal Secretary,
School Education Department,
Fort St.George,
Secretariat,
Chennai 600 009.

2.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai 600 009.

3.The Chief Educational Officer,
Trichy.

4.The District Educational Officer,
Trichy.

5.Mukkulathore Higher Secondary School,
rep by its Secretary,
Thiruverumbur,
Trichy 620 013.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings of the second respondent in Na.Ka.No.



3416/D1/2013, dated 01.03.2017 quash the same and direct the respondents not to insist the petitioner to pass Teacher Eligibility Test.

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In W.P.(MD) No.8955 of 2017:-

Pemila Ponselvi

.. Petitioner

Vs.

1.The Government of Tamil Nadu
rep by its Principal Secretary,
School Education Department,
Fort St.George,
Secretariat,
Chennai 600 009.

2.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai 600 009.

3.The Director of Elementary Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai 600006.

4.The District Elementary Educational Officer,
Tirunelveli District.

5.The Assistant Elementary Educational Officer,
Palayamkottai (Rural),
Tirunelveli District.

6.Harihar Primary School,
rep by its Secretary,
Alaganeri,
Tirunelveli 627 358.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records pertaining to



the impugned proceedings of the second respondent in Na.Ka.No. 3416/D1/2013, dated 01.03.2017 quash the same and direct the respondents not to insist the petitioner to pass Teacher Eligibility Test.

In W.P.(MD) Nos.8949 and 8952 of 2017:-

For Petitioner
in all W.Ps., : Mr.M.Saravanan

For R1 to R4
in all W.Ps., : Mr.C.Deepak
Additional Government Pleader

In W.P.(MD) No.8955 of 2017:-

For Petitioner
in all W.Ps., : Mr.M.Saravanan

For R1 to R5
in all W.Ps., : Mr.C.Deepak
Additional Government Pleader

COMMON ORDER

Today, when the matter is taken up, Mr.M.Saravanan, learned counsel appearing for the petitioners brought to notice, of the judgments of the Hon'ble Supreme Court in the case of **Anujuman Ishaat-e-Taleem Trust Vs. State of Maharashtra, 2025 SCC Online SC 1912** and in the case of **State of U.P. Vs. Anjuman Ishaat-E-Taleem Trust and others, 2026 LiveLaw (SC) 568** and on the strength of those judgments, he would submit that the petitioners have a leverage to pass the Teacher Eligibility Test on or



before 31.08.2028 and in fact, they had all already appeared the Teacher Eligibility Test.

2.Relevant portion of the judgment in **Anujuman Ishaat-e-Taleem Trust Vs. State of Maharashtra, 2025 SCC Online SC 1912** reads as under:-

“214. Per the detailed discussions above and resting on the same, we hold that the provisions of the [RTE Act](#) have to be complied with by all schools as defined in [Section 2\(n\)](#) of the RTE Act except the schools established and administered by the minority – whether religious or linguistic – till such time the reference is decided and subject to the answers to the questions formulated above under section VII. Logically, it would follow that in-service teachers (irrespective of the length of their service) would also be required to qualify the TET to continue in service.

215.However, we are mindful of the ground realities as well as the practical challenges. There are in-service teachers who were recruited much prior to the advent of the [RTE Act](#) and who might have put in more than two or even three decades of service. They have been imparting education to their students to the best of their ability without any serious complaint. It is not that the students who have been imparted education by the non-TET qualified teachers have not shone in life. To dislodge such teachers from service on the ground that they have not qualified the TET would seem to be a bit harsh although we are alive to the settled legal position that operation of a statute can never be seen as an evil.

216. Bearing in mind their predicament, we invoke our powers under [Article 142](#) of the Constitution of India and direct that those teachers who have less than five years’ service left, as on date, may continue in service till they attain the age of superannuation without qualifying the TET. However, we make it clear that if any such teacher (having less than five years’ service left) aspires for promotion, he will not be considered eligible without he/she having qualified the TET.

217.Insofar as in-service teachers recruited prior to enactment of the [RTE Act](#) and having more than 5 years to retire on superannuation are concerned, they shall be under an obligation to qualify the TET within 2 years from date in order to



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continue in service. If any of such teachers fail to qualify the TET within the time that we have allowed, they shall have to quit service. They may be compulsorily retired; and paid whatever terminal benefits they are entitled to. We add a rider that to qualify for the terminal benefits, such teachers must have put in the qualifying period of service, in accordance with the rules. If any teacher has not put in the qualifying service and there is some deficiency, his/her case may be considered by the appropriate department in the Government upon a representation being made by him/her.”

3.Relevant portion of the judgment in **State of U.P. Vs. Anjuman Ishaat-E-Taleem Trust and others, 2026 LiveLaw (SC) 568** reads as under:-

“32. Having regard to the paramountcy of ensuring continuity in elementary education of children, we deem it appropriate to grant limited relief by extending the period earlier stipulated for acquiring the TET qualification, again, in exercise of our power under [Article 142](#) of the Constitution.

33. Appreciating that the TET examination must be conducted by the relevant authorities expeditiously as well as the time and resources required for the same are limited, we alter and extend the timeline granted in paragraph 217 of Anjuman (supra) for in-service teachers to acquire the TET qualification from 2 (two) to 3 (three) years, i.e., the qualification has to be obtained by 31st August, 2028 instead of 31st August, 2027, as originally directed.”

4.In the light of the said submissions, it is clear that the petitioners are not seriously pursuing the relief sought in these writ petitions and are in fact, accepting the position that as teachers, they should pass the Teacher Eligibility Test on or before 31.08.2028, else they will have to face the consequences as mentioned by the Hon'ble Supreme Court in the judgments (referred supra).



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5. Accordingly, these Writ Petitions stand disposed of with the following directions:-

i) These petitioners shall pass the Teacher Eligibility Test on or before 31.08.2028 and in the event of them passing the exam, they are entitled to continue to remain in service and enjoy the benefits.

ii) In case, these petitioners fail to pass the Teacher Eligibility Test on or before 31.08.2028, ie., the cut-off date fixed by the Hon'ble Supreme Court, they will face the consequences as stated by the Hon'ble Supreme Court that they shall be terminated from service subject to the payment of eligible terminal benefits.

No costs. Consequently, connected Miscellaneous Petitions are closed.

10.08.2026

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

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To

1. Principal Secretary,
School Education Department,
Fort St. George,
Secretariat,
Chennai 600 009.



2.The Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai 600 009.

3.The Chief Educational Officer,
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5.The Director of Elementary Education,
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N.DILIP KUMAR, J.

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