

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 30116 of 2012 (L)

PETITIONER

- 1. SHEEJU.K.H. AGED 36 YEARS
K.K.HOUSE, KUTTOOR NORTH P.O, A.R NAGAR VIA
MALAPPURAM DISTRICT.**
- 2. MANJUSREE A.K
THEJASWINI, PARAYATTU, POOVATHIKANDI
VALLILAPUZHA P.O, AREACODE, MALAPPURAM 673 639.**
- 3. PRINCY RACHEL JOHN
K.V.APPARTMENT, KUTTOOR NORTH P.O, A.R NAGAR VIA
MALAPPURAM DISTRICT.**
- 4. SHIJIL A
POONKAVIL HOUSE, P.O MUNDALUR, KANNUR 670 622.**
- 5. RABIEH P
PATTATHIL HOUSE, P.O THALAKKALATHUR
MALAPPURAM 676 103.**
- 6. YEDUNATH N
SANKETHAM, P.O AROLI, KANNUR 670 566.**
- 7. SREEPRIYA N.P
SOUPARNIKA, CHEVAYUR, PULIKKAL P.O
MALAPPURAM 673 637.**
- 8. SITHARA P
PANGATTUPURATH HOUSE, PULIKKAL PO
MALAPPPURAM 673 637.**
- 9. JYOTHSNA PADIPARAMBIL,
PADIPARAMBIL HOUSE, OLAKARA P.O, THIRURANGADI VIA
MALAPPURAM DISTRICT.**
- 10. ASMABI CHERUCHOLAYIL
CHERUCHOLAYIL HOUSE, NOONJIKKARA, VAZHAKKAD P.O
MALAPPURAM 673 640.**

11. ANJALI KANHIRASSERI
AMBILINIVAS, PALLIKKAL P.O, CHELEMBRA VIA
MALAPPURAM 673 653.
12. REMYA P
PRASANTHI HOUSE, PATTITHARA P.O, TRITHALA VIA
PALAKKAD 679 534.
13. RAJILA P.P
PULIKKALPALEKKOTT HOUSE, P.O NEDIYIRIPPU, VIA KONDOTTY
MALAPPURAM 673 638.
14. NIKHIL C.K
METHIKKOLLALI HOUSE, P.O MUNNUR, KOZHIKODE 673 328.
15. SHAJINI A.T
B NILAYAM HOUSE, TIRURANGADI P.O, KAKKAD
MALAPPURAM 676 306.
16. MALLIKA V
POURNAMI HOUSE, PERAVALLURP.O, KONDOTTY
KOZHIKODE 673 638.
17. ABDUL JALEEL K
'KEYATH', VELLUR P.O, MALAPPURAM 676 517.
18. ABDUSSALAM V
VILLAN HOUSE, ALPATTUKULAMBA, KODUR POST
MALAPPURAM 676 504.
19. SAVITHA M
SUNITHA NIVAS, MUTTUNGAL NEAR VAYANASALA
PERINTHALMANNA, MALAPPURAM 679 322.
20. AISWARYA P.P
PATTERIPARAMBIL HOUSE, KARTHALA, THOZHUVANOOR P.O
MALAPPURAM 676 557.
21. NISHZHATH T.K
THEKKEKKARA HOUSE, POOPALAM, VALAMBOOR P.O
MALAPPURAM 679 325.
22. SARITHA K
MANITHODI HOUSE, KARADU PARAMBA P.O
FAROOK COLLEGE VIA, MALAPPURAM 676 632.
23. SHANI M.K
MELATTU KUMMANCHERI HOUSE, KARAD PARAMBA P.O
FEROOK COLLEGE VIA, MALAPPURAM 676 632.

24. DEEPA PHILIP
VAKANIL HOUSE, THIRUKKAD P.O, MALAPPURAM 679 351.
25. YOOSUF KALATHILTHODI
KALATHILTHODI HOUSE, KOOTIL P.O, MALAPPURAM 679 324.
26. RATHEESH K
VIJAYAMAHAL HOUSE, RAMANATTUKARA, KOZHIKODE 673 633.
27. VINEETHA R
'SREEVALSAM', ANANTHAYOOR, VAZHAKKAD
MALAPPURAM DISTRICT.
28. RAJANI KRISHNAN
VIJAYAMAHAL HOUSE, RAMANATTUKARA, KOZHIKODE 673 633.
29. SHIBINA K.P
NELLIKOTTE THAROLE HOUSE, RAMANATTUKARA P.O
KOZHIKODE 673 633.
30. ASHA NAIR K.N
'AISWARYA', THAMARASSERY, KOZHIKODE DISTRICT.
31. SHILNA K.A
KAZHUKANOLIKAL HOUSE, KATTIPPARA P.O
KOZHIKODE DISTRICT.
32. BINITHA E
EDAKOTH HOUSE, PANTHERANKAVU P.O
KOZHIKODE DISTRICT. 673 019.
33. PRIYANKA P
PRIYANKA NIVAS, RAMANATTUKARA P.O KOZHIKODE 673633
34. PANKAJAKSHY K.P
KEEZHADATH HOUSE, CIVIL STATION POST
KOZHIKODE 673 020.
35. LANEESH P.M
CHETTELANKANDY HOUSE, ORAVIL P.O, NADUVANNUR VIA
KOZHIKODE 673 613.
36. SIBI M
MARATHADATHIL HOUSE, NEDUVA PO, PARAPPANANGADI VIA
MALAPPURAM 676 303.
37. SABNA BABU C.M.T
JASMIN VILLA, VIDYANAGAR, PARAVANNAP.O
MALAPPURAM 676 502.

38. DIVYA P.P
PUTHIYAPURAYIL HOUSE, THALAKKULATHUR
KOZHIKODE DISTRICT.
39. SUHARAN
NEDUMPALLI HOUSE, K.PURAM P.O, THANALUR VIA
MALAPPURAM DISTRICT.
40. ANUSHA C.K
METHILAKOLLERI HOUSE, P.O MANNUR KOZHIKODE 673 328.
41. SHINI K
RAGAM HOUSE, PERAMBRA POST, KOZHIKODE 673 525.
42. MUBEENA E.T
PUTHIYOTTIL MEETHAL HOUSE, PERAMBRA VIA
KOZHIKODE 673 525.
43. SANDRA S.B
PARAKANDY HOUSE, MUCHUKUNNU P.O, KOYILANDY 673 307.
44. SREELINI T.P
THAZHAPUNATHIL HOUSE, PAVANDOOR P.O, NANMINDA VIA
EANTHAD, KOZHIKODE 673 613.
45. RINCY RICHARD
KEEZHILLATH PARAMBA, WEST B.C ROAD, BEYPORE P.O
KOZHIKODE 673 015.
46. ARCHANA S
THUSHARA HOUSE, IRINGAL P.O, KOZHIKODE 673 521.
47. INDU V.P
PUNNAKKOTTE HOUSE, PUTHUKKODE P.O, PERINGAVE
MALAPPURAM 673 633.
48. SWAPNA A
VALLIL HOUSE, NEAR SHANMUGA STADIUM, EDAKKARA POST
CHELANNUR VIA, KOZHIKODE 673 616.
49. BOBBY B.K
GEETHAM HOUSE, P.O GURUVAYURAPPAN COLLEGE
KOZHIKODE 14.
50. JYOTHI P
PANGATHOUSE, P.O POKKAYIL, TIRUR
MALAPPURAM 676 107.
51. LINI M.P
MADATHIL PARAMBIL HOUSE, TANALUR P.O, MEENADATHUR
MALAPPURAM 676 307.

52. **NANDINI P**
PALANGATILLAM, KANNIPARAMBA P.O, MAVOOR VIA
KOZHIKODE 673 661.
53. **PRIYATHA P**
PRIYA NIVAS, PUDUKKODE P.O, DHANAGRAM
RAMANATTUKARA VIA, MALAPPURAM 673 633.
54. **BIJESH K.P**
VIJAY VIHAR, MODAKKALLUR P.O, ATHOLI VIA
KOZHIKODE 673 315.
55. **BABITHA A**
NHENTADI HOUSE, GURUVAYURAPPAN COLLEGE P.O, IRINGALLUR
KOZHIKODE 673 014.
56. **ABHILASH DEVI C.M**
ANAND VIHAR, VALLIKUNNU P.O, KADALUNDI NAGARAM VIA
MALAPPURAM 673 314.
57. **SREEJISHA C**
CHALIKKARA HOUSE, PILASSERRY P.O, KUNNAMANGALAM VIA
KOZHIKODE 673 571.
58. **SURABHI V**
THULASI HOUSE, PERINGAVE, PUTHUKKODE P.O
RAMANATTUKARA VIA, MALAPPURAM 673 633.
59. **LASINA S**
SREEVALSAMHOUSE, CHENOLI POST, PERAMBRA VIA
KOZHIKODE 673 525.
60. **VINOD K**
NHATUVETI HOUSE, KADUNGALLUR, PULIYAVODE P.O
KUZHIMANNA VIA, MALAPPURAM 673 641.
61. **DIVYA P**
'SISIRAM', PINNANTH HOUSE, NORTH BEYPORE
KOZHIKODE 673 015.
62. **RESITHA RAM**
HARIDWAR P.O, PATHIRIPATTA, KOZHIKODE 673 507.
63. **RAJISHA S**
W/O.SHAJI N.K, NHLLUKANDIYIL HOUSE, P.O PATHIRIPATTA
KOZHIKODE 673 507.
64. **BENEES VARGHESE**
THARAKKUNNEL HOUSE, P.O RAYAROM, KANNUR 670 571.

65. SUMA P
W/O.RAMDAS P.M, S.D.S SADHANAMCHELERY
P.O KANNADIPARAMBA, KANNUR 670 604.
66. SHOBHITHA NAIR A
MENAPPURAM, P.O KANHANGAD, KASARAGOD 671 315.
67. PRIYA P.P
'PRIYA' NIVAS, KANIYANDEVALAPPIL, P.O EDAKKAD
KANNUR 670 663.
68. DILNA C
D/O.GOVINDAN K, DEVIKRIPA, PERIYACHOOR P.O
PORORA, KANNUR 670 702.
69. ANILA E
W/O.SAATHEESH KUMAR, K.V HOUSE, KOLARI
P.O MATTANNUR, KANNUR 670 702.
70. SEENA K.V
W/O.MANOJ KUMAR T.V,' SARANALAYAM', THAYINERI
P.O PAYYANNUR, KANNUR 670 307.
71. SHEEJA KARIKKAN PUTHIYADATH,
PUTHIYEDATH HOUSE, KANOOOL P.O, KANNUR 670 564.
72. DHANYA M.V
W/O.HAREESH A.V,' SREEHARINILAYAM', P.O MORAZHA
KANNUR 670 331.
73. DHANNIA K.K
W/O.SUNIL M.V, "PADMALAYAM", P.O MORAZHA
MOTTAMMEL VIA, KANNUR 670 331.
74. SOUPARNIKA V.P
VALIYAKANDIYILPADINHAREL HOUSE, P.O CHAMPAD
KANNUR 670 694.
75. LIJIN T
S/O.T.PRAKASHAN, "THIRUVATHIRA", P.O PODUVACHERY
KADACHIRA VIA, KANNUR 670 621.
76. ANEESH M
W/O.ANOOP KUMAR K.V, 'REMANIVAS', CHEDICHERY
PERUVALATHU PARAMBA P.O, VIA IRIKKUR, KANNUR 670 593.
77. JITHES P
S/O.NARAYANAN NAMBOODIRI, PATTUVAM ILLAM
P.O AYITHARA MAMBARAM, VIA KUTHUPARAMBA
KANNUR 670 643.

78. SINDHU T.C.V
W/O.A.P.KRISHNAKUMAR," KARTHIKA", KARMEL P.O ANNUR
VIA PAYYANNUR, KANNUR 670 307.
79. SRUTHI S
W/O.SANTHOSH P.D, PANDARAVALLAPPIL HOUSE, CHEENGAKUNDAM
PAYAM P.O, KANNUR 670 704.
80. SINI K
D/O.SURESHBABU K, 'SIVAPRABHA', P.O PARAL
KALLILTHAZHE, KANNUR 670 671.
81. RAJESH K.V
S/O.K.KUMARAN, ARAKKELENDAYIDA HOUSE
P.O PATHAYAKKUNNU, KANNUR 670 691.
82. SREEJA C.K
W/O.ANOOP KUMAR A, 'CHAITHRAM', ERUVAPUZHAMAMBRAM
P.O PAVANNURMATTU, KANNUR 670 602.
83. DHANESH N
S/O.DAMODHARAN A, RAYORATH HOSUE, VALANKICHAL
P.O PATHIRIYAD, KANNUR 670 741.
84. RAHEEM T.C
S/O.HASBULLA MAULAVI K, MUBARAK MANZIL
PODUVACHERRY P.O, KANNUR 670 621.
85. SHAMNA K
W/O.AJAYAKUMAR V, AJAY NIVAS, P.O CHERUVANCHERRY
KANNUR 670 650.
86. NISHAKUNNOTH
W/O.SANDEEP K.N, NAMBIALATH HOUSE, P.O KANHILERI
KANNUR 670 702.
87. NIJISHA K.K
W/O.VIJESH V.P, KOMMALERI, THAZHEKUNIYIL HOUSE
P.O PANOOR, KANNUR 670 692.
88. RAZIA N
W/O.ABDUL RASHEED C, RAZIA MANZIL, KUMBHAM
P.O KODALI, KANNUR 670 592.
89. MYMOONATH MANIKOTH
W/O.NAJEEB T.M, THAZHEMOTTATH HOUSE, P.O THOOVAKKUNNU
KANNUR 670 693.
90. SREEJA M.NAMBOODIRI,
W/O.HARIPRASAD K, 'SOUPARNIKA', KATHAPRAM
P.O MATHAMANGALAM, KANNUR 670 306.

91. SARASWATHI K.P
W/O.UNNIKRISHNAN M, MULIKKOTHU HOUSE, P.O CHUZHALI
LA.KARIMBAM, KANNUR 670 142.
92. SHYNI KORAMBATH
W/O.SANALAN K.M, KADAKKULATHIL HOUSE, P.LO KADAVATHUR
KANNUR 670 676.
93. DHANYA C.P
W/O.RAJU K.N, SAROVARAM, MATHODAM
P.O KANNADIPARAMBA, KANNUR 670 604.
94. RAHANA K
W/O.SANJAY K.N,' SAROVARAM', MATHODAM
P.O KANNADIPARAMBA, KANNUR 670 604.
95. LAJUMOLE M.P
W/O.ANESH KUMAR K, KANNOTH HOUSE, KINATHIL
P.O EDACHAKKAI, KASARAGOD 671 310.
96. RAJANI C
W/O.C.JAYACHANDRAN, NEELANGUPRATH HOUSE
ANCHAMPEEDIKA P.O, KANNUR 670 331.
97. CHANDRALEKHA K.K
W/O.SURESH K.P, SREE NILAYAM, KATTAYAM
P.O AROLI, KANNUR 670 561.
98. SEEMA P.K
W/O.RAJAN V, PALAKKUZHIYIL HOUSE, PUNNASSERY P.O
NARIKKUNI VIA, KOZHIKODE 673 585.
99. SHABNA P.K
D/O.ALIKOYA P.K, PANARUKANDY HOUSE, PANNIKKOTTUR P.O
VIA KODUVALLY, KOZHIKODE 673 572.
100. SMERA DEVAN,
W/O.RAGESH K.M, 'SIVIN NIVAS', PAZHASI
P.O URUVACHAL, KANNUR 670 702.
101. MUHAMMED RAMEEZ T.V,
S/O.MUHAMED ASHRAF T.V, MELEDATH HOUSE, PULIKKAL P.O
MALAPPURAM 673 637.
102. SUBHA P.M
W/O.ANAND K.P, PAZHAYADATH ILLAM, P.O PATHAYAKKUNNU
KANNUR 670 691.
103. RAHINA T.P
W/O.UMANATH K.K, THARAPPURATH HOUSE, P.O POYILLURVIA
THOOVAKKUNNU, KANNUR 670 693.

104. SAJITH I.V
S/O.CHATHU I.V, CHIKKINIYERI THAZHEKUNIYIL HOUSE
THUNERI P.O, KOZHIKODE 673 505.
105. VIPIN E
S/O.VISWANATHAN E.K, KAITHAKKAL HOUSE
P.O PYYOLI ANGADI, KOZHIKODE 673 523.
106. VASANTHARAJ V,
S/O.CHANDUKUTTY V, "LAKSHMINIVAS," THAMARAMKULANGARA
P.O EDAT, KANNUR 670 327.
107. ROBIN A
S/O.A.KANARAN, "GURUKRIPA", P.O THOVVAKKUNNU
KANNUR 670 693.
108. ATHULKRISHNA P.K,
"AMRITHAKRIPA", PALATHAYI, P.O KADAVATHUR
KANNUR 670 676.
109. REMYARAJU P.O
CHIRAMMAL HOUSE, PERALASSERY P.O, KANNUR 670 622.
110. ANUSREE M
'SREERAMBHAVAS', P.O ATTADAPPA, KANNUR 670 006.
111. RASNA V.P
ANIYERINDAVIDA HOUSE, P.O CHENDAYAD, KANNUR 670 692.
112. RAJINA V.N
'UDAYAM', PERMABRA P.O, KOZHIKODE 673 525.
113. NISHA P.R
PUTHIYAVEETIL HOUSE, KARUVANCHAL P.O, KANNUR 670 571.
114. MUHAMMED RASI M
MUTHUVATTUSSERYHOUSE, ELETIL P.O, KOZHIKODE 673 572.
115. MUHAMED ASIF K
KUNDUNGARA HOUSE, PANNIKKOTTU P.O
KODUVALLY VIA, KOZHIKODE 673 572.
116. JITHIN HARI G
'HARIGEETHAM', KACHERY P.O, EDACHERY VIA
KOZHIKODE 673 502.
117. NASARI T
T.C HOUSE, PATTAKKAL, P.O KALAYAD
KANNUR 670 593.

118. JASIM A
ADIYOTH HOUSE, P.O KADAVATHUR, KANNUR 670 676.
119. MATHINEESH K.M
KELANKANDI MEETHAL HOUSE, KOZHUKALLUR P.O
KOZHIKODE 673 524.
120. SARATH CHANDRA P
PALAKKANDY HOSUE, KARAYAD P.O, KOZHIKODE 673 524.
121. ARJUN G.K
'MANJIMA', EDACHERRY P.O, KOZHIKODE 673 502.
122. SOUMMYAK
KULANGARATH HOUSE, KODANCHERI P.O, VIA PURAMERI
KOZHIKODE 673 503.
123. RADHIKA K
INDEEVARAMHOUSE, P.O KARTHIKAPPALLI, KOZHIKODE
673 542.
124. SREEJITH K
KOYILOTH K, AYANIKKAD P.O, KOZHIKODE 673 521.
125. PRAJILA O.K
MAVILACHAL HOUSE, KUNNOTH PATTANNUR P.O
KANNUR 670 595.
126. SREEJA K
'PADMASREE', C.S STREET, P.O KUTHUPARAMBA
KANNUR 670 643.
127. MAHESH T.K
PADINHARE PADIKKAL HOSUE, MELMURINGODI P.O
VIA PERAVOOR, KANNUR 670 673.
128. SEEMABAI M.K
"KRISHNA", KEEZHARIYUR P.O, QUILANDY VIA
KOZHIKODE 673 324.
129. HAMJAD K.P
AL-AMEEN HOUSE, NEDUNGINI PARAMBA, POKKUNNU P.O
KOZHIKODE 673 013.
130. ILYAS T.K
ADIYODIPARAMBA, G.A COLLEGE P.O, KOZHIKODE 673 014.
131. RAJESH MATHEW
THARAYIL HOUSE, KARATTUPARA, KOODARANHI P.O
KOZHIKODE 673 604.

132. THOMAS K.U
KOCHUVEETIL HOUSE, KATTIPARA P.O, THAMARASSERY VIA
KOZHIKODE 673 573.

133. SEEMA K
'CHITHIRA' HOUSE, PAYYALI ANGADI P.O, KOZHIKODE 673 523.

134. MOHAMED RAFEEQ V.P
NEDUNKACHIRAM HOUSE, P.O CHIRAYIL, VIA KONDOTTY
MALAPPURAM 673 638.

BY ADV. SRIKALEESWARAM RAJ

RESPONDENT(S):

W.PC. NO.30116/2012

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT
THIRUVANANTHAPURAM 695 001.

2. DIRECTOR OF PUBLIC INSTRUCTIONS
THIRUVANANTHAPURAM 695 001.

3. UNION OF INDIA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
MINISTRY OF HUMAN RESOURCE DEVELOPMENT, NEW DELHI.

R3 BY ADV. SRI.N.NAGARESH,ASG OF INDIA
R BY GOVERNMENT PLEADER SRI JOE KALLIYATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-02-2015, ALONG WITH WPC. 9145/2013, WPC. 25557/2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS

EXT.P1	COPY OF THE DETAILS REGARDING TEACHERS' ELIGIBILITY TEST
EXT.P2	COPY OF G.O(P)O.70/12/G.EDN. DATED 1-3-2012
EXT.P3	COPY OF G.O(MS)NO.205/12/G.Edn DATED 25-6-2012
EXT.P4	COPY OF G.O(P) NO.215/2012 G.Edn DATED 4-7-2012
EXT.P5	COPY OF G.O(P) NO.244/2012 G.Edn DATED 25-7-2012
EXT.P6	COPY OF G.O(P) NO.209/2012 G.Edn DATED 27-6—2012
EXT.P7	COPY OF G.O(P) NO.294/2012 G.Edn DATED 20-9-2012
EXT.P8	COPY OF THE NOTIFICATION DATED 5-8-2013 ISSUED BY THE SECRETARY , BOARD OF K-TET EXAMINATIONS, PAREEKSHA BHAVAN, POOJAPPURA, THIRUVANANTHAPURAM

RESPONDENTS EXHIBITS

NIL

TRUE COPY

P.A TO JUDGE

SMM

A.MUHAMED MUSTAQUE, J.

.....
WP(C).Nos. 30116 of 2012, 9145 of 2013
& 25557 of 2013

.....
Dated this the 6th day of February, 2015.

J U D G M E N T

The petitioners are persons who have completed the Teachers Training Course. Some of them have also acquired B.Ed. The petitioners have approached this Court aggrieved by insistence for passing KTET for the purpose of appointment as teachers.

2. The petitioners claimed that they all acquired TTC or B.Ed before 1-3-2012. Government by G.O.(P) No.70/12/G.Edn dated 1-3-2012 ordered that

“TET is mandatory for the appointment of all teachers in Lower Primary, Upper Primary and High Schools. Accordingly all teachers in schools should possess the minimum qualifications including Teachers Eligibility Test (TET) based on the norms and standards laid down by the NCTE. SCERT is the authorized academic authority in the state.”

3. It is pointed out by the petitioners that Government by G.O(P) No.244/12/G Edn dated 25-7-2012 ordered that claimants under Rule 51(A) and Rule 51(B) Chapter XIV A KER as on the date of this G.O are

exempted from acquiring K-TET. Government was also pleased to exempt the teachers from acquiring K-TET who are appointed against regular vacancies on or before 31-3-2012.

4. The petitioners case is that they also form part of same class who were given the exemption on account of their claim either on account of their appointment in regular vacancy on or before 31-3-2012 and also on account of their statutory claim under Rule 51(A). It is also submitted that they have acquired qualifications for appointment before 31-3-2012. They should be exempted from acquiring KTET for the purpose of all future vacancies. It is submitted that they have undergone TTC or B.Ed with anticipation of appointment as teachers and the entire exercise made by them to acquire qualification would become futile if they are not exempted from acquiring KTET. It is also submitted that having form part of same category of persons who have not acquired KTET before 31-3-2012, they also need to be considered for future vacancies. Merely for the

reason that they could not obtain appointment as teachers on account of want of opportunities before 31-3-2012, they should not be denied of exemption.

5. In W.P(C) No.9145 of 2013 a counter affidavit has been filed. It is stated therein that by virtue of Section 23 (1) of the Right to Education Act, any persons possessing such minimum qualifications as laid down by academic authority authorized by the Central Government by notification, shall be eligible for appointment as teachers. It is further stated that NCTE is authorized academy and by notification dated 23-8-2010 has already prescribed the qualification for teachers. Thus it is submitted that by above notification passing test is mandatory for appointment as teachers.

6. Apparently, this is essentially a issue relating to the policy taken by the government. Exemption is given to certain class of persons from acquisition of qualification before 31-3-2012. It is for the government to decide whether the petitioners would also fall within the category which have been exempted. This Court cannot

direct the government to exempt the petitioners.

7. Therefore, I am of the view if the petitioners make a detailed representation before the government for exemption on account of the fact that they have acquired qualification before 31-3-2012 , same shall be considered after adverting to the relevant materials placed by the petitioners. Therefore if the petitioners makes representation within three weeks from the date of receipt of a copy of this judgment, necessary decisions shall be taken by the government within a period of three months thereafter after giving an opportunity of hearing to any of the representatives chosen by the petitioners.

The writ petitions are disposed of.

**A.MUHAMED MUSTAQUE,
(Judge)**

smm