

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH

AND

THE HON'BLE MR.JUSTICE V.PARTHIBAN

Writ Petition Nos.21979 of 2014, 24103, 24104, 31767,
32103, 32766 of 2013, 28147, 32862 of 2014, 2607, 7482,
13536, 13595, 13596, 32245, 38436 to 38438 of 2015, 6745,
29311, 29313, 29315 & 29930 to 29933 of 2016

&

WP(MD) Nos.12840, 13164 to 13167, 13735 of 2014,
3298 & 5035 of 2015

P.SEKARAN ... PETITIONER in WP No.21979 of 2014
L.JANCEY ASUMPTA ... PETITIONER in WP No.24103 of 2013
S.CHITTRA ... PETITIONER in WP No.24104 of 2013
K.DAISAY CAROLINE MARY ... PETITIONER in WP No.31767 of 2013
DHANABAKIYAM ... PETITIONER in WP No.32103 of 2013
M.SUJATHA PETITIONER in WP No.32766 of 2013

TAMIL NADU CATHOLIC ... PETITIONER in WP No.28147 of 2014
EDUCATIONAL ASSOCIATION
REP. BY ITS
SECRETARY CUM TREASURER FR.S.ARULAPPAN
DIOCESAN PASTORAL CENTRE 25 ROSARY CHURCH
ROAD SANTHOME CHENNAI-4.

MRS.A.SANTHI VICTORIA ... PETITIONER in WP No.32862 of 2014
S.KEZIA JEBAKUMARI ... PETITIONER in WP No.2607 of 2015
MRS.M.CECILI KALAIYARASI ... PETITIONER in WP No.7482 of 2015

MISS.P.CHRISTIGA
SELVA SEELI ... PETITIONER in WP No.13536 of 2015
S.ARUL KUMAR ... PETITIONER in WP No.13595 of 2015
M.GIRIJA ... PETITIONER in WP No.13596 of 2015
A.MD.KHASIM ... PETITIONER in WP No.32245 of 2015
MRS.ASIA BEE ... PETITIONER in WP No.38436 of 2015
MRS.B.MALIKA ... PETITIONER in WP No.38437 of 2015

MRS.YASMEEN SULTANA ... PETITIONER in WP No.38438 of 2015
T.ROSELIN BHAKYAVATHI ... PETITIONER in WP No.6745 of 2016
P.MOHAMMED SUHAIB ... PETITIONER in WP No.29311 of 2016
A.BILAL AHMED ... PETITIONER in WP No.29313 of 2016
M.I.MOHAMMED NADEEM ... PETITIONER in WP No.29315 of 2016
Z.HAJIRA BEGUM ... PETITIONER in WP No.29930 of 2016
MRS.K.BALKIS SADIYA ... PETITIONER in WP No.29931 of 2016
K.HAJIRA BANU ... PETITIONER in WP No.29932 of 2016
E.M.JUVERIYA ... PETITIONER in WP No.29933 of 2016
S.Lilly Bai ... PETITIONER IN wp(md) 12840/14
M.Jebakumari Janel ... PETITIONER IN wp(md) 13164/14
L.Selvakani ... PETITIONER IN wp(md) 13165/14
A.Premkumar ... PETITIONER IN wp(md) 13166/14
B.Misba ... PETITIONER IN wp(md) 13167/14
S.Jemilal ... PETITIONER IN wp(md) 13735/14
G.Edward Jebas Victor ... PETITIONER IN wp(md) 3298/15
HR.Mahatham Irfan ... PETITIONER IN wp(md) 5035/15

Vs

1 THE JOINT DIRECTOR OF
ELEMENTARY EDUCATION (AIDED) COLLEGE ROAD
CHENNAI-6.

2 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER PERAMBALUR DISTRICT.

3 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER VEPPANTHATAI.

4 THE CHAIRMAN
TELC EDUCATIONAL BOARD POST BOX 86
TRANQUEBAR HOUSE TIRUCHIRAPPALLI-620001.

... RESPONDENTS in WP No.21979 of 2014

1 THE UNION TERRITORY OF
PUDUCHERRY REP. BY ITS SECRETARY
DEPARTMENT OF EDUCATION SECRETARIAT
PUDUCHERRY-605 001

2 THE DIRECTOR OF SCHOOL
EDUCATION GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION
PUDUCHERRY- 605 005.

3 THE SENIOR ACCOUNTS OFFICER
GOVERNMENT OF PUDUCHERRY DIRECTORATE OF
SCHOOL EDUCATION PUDUCHERRY-605 005.

4 THE CORRESPONDENT
NIRMALA RANEE GIRLS HIGHER SECONDARY SCHOOL
33 NEHRU STREET KARAİKAL-609 602

... RESPONDENTS in WP No.24103,24104 of 2013

1 THE PRINCIPAL SECRETARY
DEPARTMENT OF SCHOOL EDUCATION SECRETARIAT
FORT ST. GEORGE CHENNAI-600 009.

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI COLLEGE ROAD CHENNAI-8.

3 THE DISTRICT EDUCATIONAL
OFFICER UDAIYARPALAYAM.

4 THE CORRESPONDENT
ALANGARA ANNAI GIRLS HR.SEC. SCHOOL
VARADARAJANPET ARIYALUR DISTRICT.

... RESPONDENTS in WP No.31767 of 2013

1 THE GOVT. OF TAMILNADU
REP. BY ITS SECRETARY FORT ST. GEORGE
CHENNAI-9

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD
CHENNAI-6

3 THE CHIEF EDUCATIONAL OFFICER
KANCHIPURAM KANCHIPURAM DT

4 THE DISTRICT EDUCATIONAL
OFFICER CHENGALPATTU CHENGALPATTU DT

5 THE CORRESPONDENT
CSI ALISON CASSIE GIRLS HR. SEC. SCHOOL CSI
COMPOUND ALAGESAN NAGAR OPP TO GOVT.
HOSPITAL CHENGALPATTU 603 001

... RESPONDENTS in WP No.32103 of 2013

1 THE STATE OF TAMIL NADU
REP. BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT SECRETARIAT CHENNAI-9.

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD
CHENNAI- 6.

3 THE CHIEF EDUCATIONAL OFFICER
KANCHEEPURAM DISTRICT KANCHEEPURAM.

4 THE DISTRICT EDUCATIONAL
OFFICER CHENGALPATTU-603 011 KANCHEEPURAM
DISTRICT.

5 THE CORRESPONDENT
ST. MARYS GIRLS HIGHER SECONDARY SCHOOL
KANCHEEPURAM HIGH ROAD NATHAM
CHENGALPATTU-603 002 KANCHEEPURAM DT

... RESPONDENTS in WP No.32766 of 2013

1 THE GOVERNMENT OF TAMIL NADU
REP. BY THE SECRETARY DEPARTMENT OF SCHOOL
EDUCATION FORT ST. GEORGE CHENNAI-9.

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD
CHENNAI- 6.

3 THE DIRECTOR OF ELEMENTARY
EDUCATION DPI CAMPUS COLLEGE ROAD CHENNAI- 6.

... RESPONDENTS in WP No.28147 of 2014

1 THE GOVERNMENT OF TAMILNADU
REP. BY THE ADDITIONAL CHIEF SECRETARY
DEPARTMENT OF SCHOOL EDUCATION FORT ST.
GEORGE MADRAS-600 009

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD
CHENNAI- 6

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER THE OFFICE OF THE
DISTRICT ELEMENTARY EDUCATIONAL OFFICER
VILLUPURAM VILLUPURAM DT. 605 602

4 THE ADDITIONAL ASST.
ELEMENTARY EDUCATIONAL OFFICER THE O/O. OF
THE ADDITIONAL ASST. ELEMENTARY EDUCATIONAL
OFFICER CHINNASALEM
VILLUPURAM DISTRICT 606 201

5 THE CORRESPONDENT
D.M.MIDDLE SCHOOL CHINNASALEM 606 201
VILLUPURAM DISTRICT

... RESPONDENTS in WP No.32862 of 2014

1 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI 6

2 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER CUDDALORE AND DISTRICT

3 THE CORRESPONDENT
CSI ST. DAVIDS PRIMARY SCHOOL CUDDALORE
PORT 607 003 CUDDALORE DISTRICT

... RESPONDENTS in WP No.2607 of 2015

1 THE CHIEF EDUCATIONAL
OFFICER VILLUPURAM

2 THE DISTRICT EDUCATIONAL
OFFICER KALLAKURICHI VILLUPURAM DISTRICT

3 THE CORRESPONDENT
ST.JOSEPHS HIGH SCHOOL ULLANGANKATHAN
KALLAKURUCHI VILLUPURAM DISTRICT

... RESPONDENTS in WP No.7482 of 2015

1 THE STATE OF TAMILNADU
REP.BY ITS SECRETARY EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI-600009

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI-600006

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER TIRUVANNAMALAI

4 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER TIRUVANNAMALAI

5 THE CENTRAL MANAGER & CHAIRMAN
EDUCATION BOARD D.M. ELEMENTARY HIGHER
ELEMENTARY SCHOOLS TIRUANNAMALAI DISTRICT

... RESPONDENTS in WP No.13536 of 2015

1 THE STATE OF TAMILNADU REP.
BY ITS SECRETARY EDUCATION DEPARTMENT FORT
ST. GEORGE CHENNAI 600 009.

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI 600 006.

3 THE DISTRICT EDUCATIONAL
OFFICER VILLUPURAM.

4 THE CENTRAL MANAGER &
CHAIRMAN EDUCATION BOARD D.M.ELEMENTARY
HIGHER ELEMENTARY SCHOOL PARIKKAL
CUDDALORE DISTRICT.

... RESPONDENTS in WP No.13595 of 2015

1 THE STATE OF TAMILNADU REP.
BY ITS SECRETARY EDUCATION DEPARTMENT FORT
ST. GEORGE CHENNAI 600 009.

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI 600 006.

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER THIRUVANNAMALAI.

4 THE CENTRAL MANAGER &
CHAIRMAN EDUCATION BOARD D.M.ELEMENTARY
AND HIGHER ELEMENTARY SCHOOL D.M. CARMEL
BUNGLOW THIRUVANNAMALAI DISTRICT.

... RESPONDENTS in WP No.13596 of 2015

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI-9.

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI- 6.

3 CHIEF EDUCATIONAL OFFICER
(AMENDED) COLLECTORATE BUILDING
B BLOCK
SATHUVACHARI VELLORE - 632 009

4 DISTRICT EDUCATIONAL OFFICER
DISTRICT EDUCATIONAL OFFICE TIRUPATTUR
VELLORE DISTRICT.

5 THE CORRESPONDENT
MAZHARUL ULOOM HIGHER SECONDARY SCHOOL
(MANAGED BY THE AMBUR MUSLIM EDUCATIONAL
SOCIETY) AMBUR VELLORE DISTRICT-635802.

R-3 IS AMENDED
AS PER ORDER DATED: 11/08/2016 BY this Court
IN WMP NO.19336 OF 2016 IN WP NO.32245/2015.

... RESPONDENTS in WP No.32245 of 2015

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI-9

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI- 600 006

3 CHIEF EDUCATIONAL
OFFICER PANAGAL MALIGAI SAIDAPET
CHENNAI-15

4 DISTRICT EDUCATIONAL OFFICER
CHENNAI EAST JAYAGOPALKARODIA GOVERNMENT
HIGHER SECONDARY SCHOOL CHOOLAI MEDU
CHENNAI - 600 094

5 THE CORRESPONDENT
HAJEE ESSA ABBA SAITS HIGHER SECONDARY
SCHOOL NO.3 ANDERSON STREET CHENNAI - 600001

... RESPONDENTS in WP No.38436 of 2015

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI-9

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI - 600 006

3 CHIEF EDUCATIONAL
OFFICER PANAGAL MALIGAI SAIDAPET
CHENNAI-15

4 DISTRICT EDUCATIONAL OFFICER
CHENNAI EAST JAYAGOPALKARODIA GOVERNMENT
HIGHER SECONDARY SCHOOL CHOOLAI MEDU
CHENNAI - 600 094

5 THE CORRESPONDENT
HAJEE ESSA ABBA SAITS HIGHER SECONDARY
SCHOOL NO.3 ANDERSON STREET
CHENNAI - 600 001

... RESPONDENTS in WP No.38437 of 2015

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI-9

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI - 600 006

3 CHIEF EDUCATIONAL
OFFICER PANAGAL MALIGAI SAIDAPET
CHENNAI- 15

4 DISTRICT EDUCATIONAL OFFICER
CHENNAI EAST JAYAGOPALKARODIA GOVERNMENT
HIGHER SECONDARY SCHOOL CHOO LAI MEDU
CHENNAI - 600 094

5 THE CORRESPONDENT
HAJEE ESSA ABBA SAITS HIGHER SECONDARY
SCHOOL NO.3 ANDERSON STREET
CHENNAI - 600 001

... RESPONDENTS in WP No.38438 of 2015

1 THE GOVERNMENT OF TAMILNADU
REP. BY ITS ADDITIONAL CHIEF SECRETARY TO
GOVERNMENT SCHOOL EDUCATION DEPARTMENT FORT
ST. GEORGE CHENNAI-600 009

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD CHENNAI-600 006

3 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER CUDDALORE DISTRICT
CUDDALORE

4 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER
VRIDDHACHALAM CUDDALORE DISTRICT

5 THE CORRESPONDENT
DANISH MISSION MIDDLE SCHOOL KASPA PUDUPET
VRIDDHACHALAM CUDDALORE DISTRICT-606 001

... RESPONDENTS in WP No.6745 of 2016

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI-9

2 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI-600 006

3 CHIEF EDUCATIONAL OFFICER
VELLORE DISTRICT

4 DISTRICT EDUCATIONAL OFFICER
TIRUPATTUR VELLORE DISTRICT

5 THE CORRESPONDENT
ISLAMIAH HIGHER SECONDARY SCHOOL PERNAMBUT
VELLORE DISTRICT- 635 810

... RESPONDENT in
WP No.29311,29313,29315 of 2016

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI 9

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI 6

3 THE CHIEF EDUCATIONAL OFFICER
VELLORE VELLORE DISTRICT 632 004

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT 632 004

5 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER PERNAMBUT
VELLORE DISTRICT 635 810

6 THE MANAGER
ISLAMIAH AIDED PRIMARY SCHOOL PERNAMBUT
VELLORE DISTRICT 635 810

... RESPONDENTS in WP No.29930 of 2016

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI 9

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI 6

3 THE CHIEF EDUCATIONAL OFFICER
VELLORE VELLORE DISTRICT 632 004

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT 632 004

5 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER PERNAMBUT
VELLORE DISTRICT 635 810

6 THE MANAGER
ISLAMIAH AIDED PRIMARY SCHOOL PERNAMBUT
VELLORE DISTRICT 635 810

... RESPONDENTS in WP No.29931 of 2016

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI 9

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI 6

3 THE CHIEF EDUCATIONAL OFFICER
VELLORE VELLORE DISTRICT 632 004

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT 632 004

5 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER PERNAMBUT
VELLORE DISTRICT 635 810

6 THE MANAGER
ISLAMIAH AIDED PRIMARY SCHOOL PERNAMBUT
VELLORE DISTRICT 635 810

... RESPONDENTS in WP No.29932 of 2016

1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF
TAMIL NADU FORT ST. GEORGE CHENNAI 9

2 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI CAMPUS
CHENNAI 6

3 THE CHIEF EDUCATIONAL OFFICER
VELLORE VELLORE DISTRICT 632 004

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER VELLORE VELLORE
DISTRICT 632 004

5 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATIONAL OFFICER PERNAMBUT
VELLORE DISTRICT 635 810

6 THE MANAGER
ISLAMIAH AIDED PRIMARY SCHOOL PERNAMBUT
VELLORE DISTRICT 635 810

... RESPONDENTS in WP No.29933 of 2016

1. The Director of School Education
DPI Chennai-6

2. The Chief Educational Officer
Kanyakumari District Nagarcoil

3.The District Educational Officer,
Kuzhithurai at Marthandam

4.The Correspondent
ST.Epriminse
MSCHS Surya Code
kanyakumari District

...R1 to R4 respondents
in WP (MD) 12840/16

1.The State of Tamil Nadu
rep by its Secretary to Government
School Education
Department, Secretariat
Chennai-9

...1st Respondent in
WP (MD) Nos.13164/14 to
13167/14 WP (MD) 13735/14

2.The Director of Elementary
Education O/o.the Director
of Elementary Education Officer
college Road,
Nungambakkam, Chennai

...2nd Respondent in
WP (MD) Nos.13164/14 to
13167/14 13735/14

3.The District Elementary
Educational Officer
Thoothukudi, Thoothukudi District

...3rd Respondent in
WP (MD) Nos.13164 to
13167/14 and WP (MD)
3298/15,

...2nd Respondent in
WP (MD) 5035/15

4.The Assistant Elementary
Educational Officer
O/o. Assistant Elementary
Educational Officer
Tuticorin, Tuticorin District

...4th Respondent in
WP (MD) No.13164/14

5.The Correspondent
T.N.D.T.A Primary School
Bryant Nagar church
9th Street, Thoothukudi
Thoothukudi District

...5th Respondent in
WP (MD) No.13164/14

- 6.The Assistant Elementary Educational Officer
O/o. Assistant Elementary Educational Officer
Sathankulam Range, Tuticorin
Thoothukudi District ...4th Respondent in
WP (MD) NO.13165/14,
and WP (MD) 13167/14
- 7.The Correspondent
T.N.D.T.A Primary and
Middle School, Melaseithalai
Pastorate, Thoothukudi
Thoothukudi District ...5th Respondent in
WP (MD) No.13165/14
- 8.The Correspondent
T.N.D.T.A Primary School
Dharmangaram Pastorate
Dharmanagaram
Thoothukudi, Thoothukudi District ...5th Respondent in
WP (MD) 13166/14
- 9.The Correspondent
T.N.D.T.A Primary School
Kalvilai Pastorate
Kalvilai Thoothukudi
Thoothukudi District ...5th Respondent in
WP (MD) No.13167/14
- 10.The District Elementary Educational Officer
Tirunelveli
Tirunelveli District ...3rd Respondent in
WP (MD) No.13735/14
- 11.The Additional Assistant Elementary Educational Officer
O/o.theAdditional Assistant Elementary Educational Officer, Vasuthavanallur
Sivagiri Taluk, Tirunelveli district ...4th Respondent in
WP (MD) NO.13735/14
- 12.The Correspondent
Quaide Millath Mohammed
Ismail Sahib Memorial Primary School, T.N Pudukudi Village
Puliangudi, Tirunelveli district ...5th Respondent in
WP (MD) 13735/14
- 13.The State of Tamil Nadu
rep by its Principal Secretary
Department of School Education
Fort St.George Chennai-01 ...1st Respondent in
WP (MD) 3298/15
- 14.The Director of School Education
Chennai ...2nd Respondent in
WP (MD) 3298/15

15.The Assistant Elementary
Educational officer
Srivaigundam Thoothukudi
District

...4th respondent in
WP (MD) NO.3298/15

16.The Correspondent
T.N.D.T.A. Middle School
Kovankadu
Thiruvaikundam Taluk

...5th Respondent in
WP (MD) 3298/15

18.The Secreetary
Teachers Recruitment
Board, E.V.K.Sampath Maligai,
D.P.I. Compound College Road,
Chennai

...6th Respondent in
WP (MD) 3298/15

19.The Manager
CSI TNDTA
Primary and Middle
Schools, Caldwell Higher
Secondary School Campus Beach Road,
Thoothukudi

...7th Respondent in
WP (MD) 3298/15

20.The Director of Elementary Education
Chennai-6

...1st Respondent in
WP (MD) No.5035/15

21.The Assistant Elementary
Educational Officer
Alwarthirugari
Tuticorin District

...3rd respondent in
WP (MD) 5035/15

22.The Manager
Meeramia Middle School
Alagiyamanavalapuram
Alwarthirunagiri
Tuticorin

...4th Respondent in
WP (MD) No.5035/15

These Writ Petitions are filed under article 226 of the
Constitution of India praying to issuance of a Writ of
Certiorarified Mandamus;

i) WP No.21979 of 2014

To call for the records relating to the impugned order (returned
proposal) passed by the 2nd respondent in his proceedings
Oo.Mu.1296/Aa1/2012 dated 04.10.2013 and the consequentia
proceedings in Na.Ka.No. 128/A1/2014 dated 23.05.2014 (the order
dated 04.10.2013 has been served along with the order dated
23.05.2014 through the 3rd respondent to the 4th respondent) and
quash thesame and consequently directing the respondents to
approve thepetitioner appointment from the date of his initial

appointment namely 27.03.2012 and to pay salary and other benefits.

WP No.24103 of 2013

Calling for the records pertainig to the proceedings dated 25.3.2013 in No.23-1/DSE/ GIAS/ U.III/2013-14 on the file of the 2nd respondent and quash the same directing the 2nd respondent to continue to pay the salary to the petitioner Tmt.L.Jancey Asumpta, working as Trained Graduate Teacher (TGT) in Nirmala Ranee Girls Higher Secondary School, 33, Nehru Street, Karaikal609 602, w.e.f. 29.3.2012, as per the approval order dated 15.5.2012, with all monetary and other service benefits.

WP No.24104 of 2013

Calling for the records pertainig to the proceedings dated 15.5.2012 in No.14-1/DSE/ GIAS/ U.3/2012-13 on the file of the 3rd respondent and consequential proceedings dated 25.3.2013 in No.23-1/DSE/ GIAS/ U.III/2013-14 on the file of the 2nd respondent and quash the same directing the 2nd and 3rd respondent to accord approval to the petitioner Mrs.S.Chittra, working as Trained Graduate Teacher (TGT) in Nirmala Ranee Girls Higher Secondary School, 33, Nehru Street, Karaikal-609 602, w.e.f. 15.6.2011, with all monetary and other service benefits.

WP No.31767 of 2013

Calling for the records relating to proceedings of the 2nd respondent in Na.Ka.No. 34116/D1/E4/2013 dated 07.11.2013 and the consequential Proceedings of the 3rd respondent in Na.Ka.No.4719/A2/2013 dated 11.11.2013 and quash the same

WP No.32103 of 2013 calling for the records pertaining to the proceedings dated 7.11.2013 in Na. Ka. NO.34116/ D1/C4/2013 on the file of the 2nd respondent and the consequential proceedings dated 22.11.2013 in Na. Ka. NO.4758/A2/2013 on the file of the 4th respondnet, and quash the same, directing the respondents not to cancel the approval of the appointment of the petitioner as B.T.Asst.(Tamil) in the 5th respondent school for want of a pass in the TET until the expiry of the stipulated 5 years as provided under S.23(2) of the Right of Children to Free and Compulsory Education Act, 2009

WP No.32766 of 2013

To call for the records relating to the impugned order issued bythe 2nd Respondent in Na.Ka.No.34116/ D1/E4/2013 dated 07.11.2013 and subsequent proceedings issued by 4th Respondent in Na.Ka.No.4758/ A2/2013 dated 20.11.2013 and to quash the same.

WP No.28147 of 2014

Calling for the records pertaining to the impugned G.O.(Ms) No.181, School Education (C2) Department, dated 15.11.2011, on the file of the 1st respondent and quash the same in respect of the member minority schools of the petitioner in the light of the judgment of the Constitution Bench of the Honourable Apex Court in Pramati Case as report in (2014) 4 MLJ 486 (SC).

WP No.32862 of 2014

Calling for the records pertaining to the impugned G.O.(Ms) No.181, School Education (C2) Department, dated 15.11.2011, on the file of the 1st respondent and the consequential proceedings dated 6.12.2014 in O.Mu. No.420/AA4/2012 on the file of the 3rd respondent and quash the same in respect of the petitioner, directing the respondents to approve the appointment of the petitioner Mrs.A.Santhi Victoria, as B.T.Asst. (Maths) in D.M.Middle School, Chinnasalem-606 201, Villupuram Dt., w.e.f.8.3.2012 with all service benefits.

WP No.2607 of 2015

directing the respondents 1 and 2 to consider the petitioners case on the basis of the orders passed in the proceedings of the 1st respondent in Na. Ka. No.34116/D1/C4/13 dt 27.11.2013 and approve her appointment as Secondary Grade Teacher in the 3rd respondent School and provide Teaching Grant for her post

WP No.7482 of 2015

directing the 1st respondent herein to pay salary to the petitioner from the date of her initial appointment as B.T.Assistant (Tamil) Viz., 2.7.2012 in the 3rd respondent school

WP No.13536 of 2015

calling for the records peratining to the impugned order of 4th respondent in Na.Ka. NO.187/A3/2015 dated 31.3.2015 and quash the same consequently direct the respondent to continue the petitioner in service beyond 31.3.2015 without insisting qualification of TET as a mandatory requirement for appointment and to approve the appointment of the petitioner and to extend all benefits both service and monetary thereto in light of the judgment of the Honourable Supreme Court in reported in (2014 4 MLJ 486)

WP No.13595 of 2015

Directing the Respondents to forthwith continue the petitioner in service beyond 31.03.2015 without insisting qualification of TET as a mandatory requirement for appointment and to extend all benefits both service and monetary thereto in light of the judgment of the Honourable Supreme Court in reported in [2014 4 MLJ 486]

WP No.13596 of 2015

Directing the Respondents to forthwith continue the petitioner in service beyond 31.03.2015 without insisting qualification of TET as a mandatory requirement for appointment and to approve the appointment of the petitioner and to extend all benefits both service and monetary thereto in light of the judgment of the Honourable Supreme court in reported in [2014 4 MLJ 486]

WP No.32245 of 2015

Direction or order against the respondents 1 to 4 directing them to grant approval of the petitioner appointment as Urdu Munshi, in the Minority aided School namely Mazharul Uloom Higher Secondary School, the 5th respondent in view of verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C) No.1081 of 2013.

WP No.38436 of 2015

directing the respondents 1 to 4 to grant approval fo the petitioners appointment as B.T.Assistant (Urdu Pandit) in the 5th respondents Minority Aided School in view of Verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C) No.1081 of 2013

WP No.38437 of 2015

directing the respondents 1 to 4 to grant approval for the petitioners appointment as B.T.Assistant (Science) I the 5th respondents Minority Aided School in view of Verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C) No.1081 of 2013

WP No.38438 of 2015

directing the respondents 1 to 4 to grant approval for the petitioners appointment as B.T.Assistant (History) in the 5th respondents Minority Aided School in view of Verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C) No.1081 of 2013

WP No.6745 of 2016

Calling for the records relating to the impugned order of the 1st Respondent in G.O. Ms No.181, School Education (C2) department, dated 15.11.2011 in so far as it relates to the petitioner is concerned and the consequential order of the 4th respndent made in proceedings in Na.Ka. No. 197/A1/13, dated 16.02.2016 and Quash the same and direct the Respondents to approve the appointment of the petitioner in the 5th Respondent School from the date of her appointment i.e on 04.07.2012 and consequently direct the Respondents to pay the salary with arrears to the petitioner

WP No.29311 of 2016

Calling for the records of the 4th respondent pertaining to the letter to his A. Thi. Moo No.2939/ M2/ 16 dated 01.08.2016 and quash the same and also direct the respondents 1 to 4 to grant approval of the petitioners appointment as B.T. Assistant (History) in the fifth respondents minority aided School in view of Verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C). No. 1081 of 2013

WP No.29313 of 2016

Calling for the records of the 4th respondent pertaining to his letter A. Thi. Moo No.2875/M2/2016 dated 01.08.2016 and quash the same and also direct the respondents 1 to 4 to grant approval of the petitioners appointment as B.T. Assistant (History) in the fifth respondents Minority aided School in view of verdict of Five Judges of Constitution Bench of Honourable Court of India dated 06.05.2014 in W.P. (C). No.1081 of 2013

WP No.29315 of 2016

Calling for the records of the 4th respondent pertaining to his letter A. Thi. Moo No.2914/ M2/2015 dated 03.11.2015 and quash the same and also direct the respondents 1 to 4 to grant approval of the petitioners appointment as B.T. Assistant (History) in the fifth respondents Minority aided School in view of verdict of Five Judges of Constitution Bench of Honourable Supreme Court of India dated 06.05.2014 in W.P. (C). No. 1081 of 2013

WP No.29930 of 2016

Calling for the records of the 5th respondent pertaining to the letter of the 5th respondent pertaining to his Return Order A.Thi. Mu. No. 1941/m1/2015 dated 7.12.2015 and quash the same and also direct the respondents 1 to 5 to grant approval of the petitioners appointment as Secondary Grade Assistant Teacher in the 5th respondents Minority Aided School

WP No.29931 of 2016

Calling for the records of the 5th respondent pertaining to the letter of the 5th respondent pertaining to his Return Order Na.Ka. No. 890/m2/2016 dated 20.7.2016 and quash the same and also direct the respondents 1 to 5 to grant approval of the petitioners appointment as Secondary Grade Assistant Teacher in the 5th respondents Minority Aided School

WP No.29932 of 2016

Calling for the records of the 5th respondent pertaining to the letter of the 5th respondent pertaining to the letter of the 5th respondent pertaining to his Return Order Na. Ka. No.1039/A2/2016 dated 8.8.2016 and quash the same and also direct

the respondents 1 to 5 to grant approval of the petitioners appointment as Secondary Grade Assistant Teacher in the 5th respondents Minority Aided School

WP No.29933 of 2016

Calling for the records of the 5th respondent pertaining to the letter of the 5th respondent pertaining to his Return Order A.Thi.Mu.No.1940/m1/2015 dated 7.12.2015 and quash the same and also direct the respondents 1 to 5 to grant approval of the petitioners appointment as Secondary Grade Assistant Teacher in the 5th respondents Minority Aided School

WP(MD) NO.12840/14: To directing the respondents 1 to 3 for approve the petitioner's appointment from 20.06.2011 as B.T.Assitants (Science) Teacher in St.Epriminse M.S.C.Higher Secondary School, Surya Code,Kanyakumari District with all the attained monetary benefits.

WP(MD) 13164/14 to 13167/14: To issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned order issued by the 5th respondent in his proceedings Nil dated 18.03.2014 and quash the same as illegal and consequentially to direct the 3rd respondent to approve my appointment as Secondary Grade Teacher in the 5th respondent school w.e.f., 15.06.2012 without reference to Teacher Eligibility Test in conformity with the Judgment rendered by the Hon'ble Supreme Court in the case of Pramati Educational and Cultural Trust and other Vs.Union of India and others reported in (2014) 4 MLJ 486(SC)

WP(MD) NO.13735/14:To issue a Writ of Mandamus or any other appropriate Writ or order or direction in the nature of writ to direct the respondent 2 and 3 to approve the appointment of the Petitioner as Secondary Grade Teacher w.e.f. 01.06.2012 in pursuant to the proposal dated 17.10.2012 submitted by the 5th respondent seeking for approval of the Petitioner's appointment without reference to Teacher Eligibility Test in conformity with the Judgment rendered by the Hon'ble Supreme Court in the Case of Pramati Educational and Cultural Trust and other Vs.Union of India and others reported in (2014) 4 MLJ 486(SC)

WP(MD) NO.3298 of 2015:to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned order in Na.Ka.NO.1317/A4/2014 dated 25.10.2014 on the file of the Respondent NO.3 and quash the same as illegal and consequently for a direction, directing the Respondents NO.3 to approve the appointment of the Petitioner in the post of Secondary Grade Teacher at the 5th Respondent School, appointed vide the appointment order dated 30.11.2011 with all monetary

benefits with effect from the date of appointment i.e., 30.11.2011.

WP(MD) No.5035/15: To issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of writ calling for the records pertaining to the order passed by the 2nd Respondent in his proceedings in Na.Ka.No.368/A5/2014, dated 30.04.2014 and quash the same and direct the respondents to approve the appointment of the petitioner as a B.T.Assistant from the date of appointment and confer all the consequential benefits.

For Petitioner: Mr.K.H.Ravikumar in WP.21979/14

Mr.Dr.Pr.A.Xavier Arulraj SC for
M/s.Arulmery in WP.Nos.24103/13
24104/13, 32103/13, 28147/14 and WP.32862/14

Mr.P.Ravi in WP.31767/13
Mr.G.Sankaran in WP.32766/13
Mr.P.Rajendran in WP.2607/15
Mr.V.Suthakar in WP.7482/15
M/s.T.Dharani in WP.NOS.13536/15, 13595/15 &
WP.13596/15

Mr.V.Raghupathi in WP.Nos.32245/15, 29311/15
29313/15, 29315/15 and 29930 to 29933/16

Mr.K.Manimaran in WPs.38436/15 to 38438/15

Mr.A.S.Kaizer in WP.6745/16
Mr.Anbarasu in WP(MD)No.12840/14

Mr.M.Ajmal Khan SC for M/s.Ajmal Associates in
WP(MD) No.13164/14 to 13167/14

Mr.T.Lajapathi Roy in WP(MD) NO.3298/15

Mr.C.Selvaraju SC for M/s.C.S.Associates in
WP.(MD) NO.5035/15

WEB COPY

For Respondents: Mr.K.Venkataramani AAG Assisted by
Mr.T.N.Rajagopalan Special Government pleader
and Mr.R.Prathap Kumar AGP for R1 & R2 in
WP.2607/15, 7482/15, and
R1 to R3 in WP.13595, 13596/15
WP(MD) 12840/14 and WP(MD)5035/15, WP31767/13
and WP.28147/14, for R1 to R4 in WP.Nos.21979/14
32103/13, 32766/15, 32862/14,13536/15,32245/15,
38436 to 38438/15, 6745/16, 29311, 29313,
29315/16.

WP(MD) NO.13164 to 13167/14 for R1 to R5
in WP.NO.29930 to 29930/16 and for R1 to R4
and R6 in WP(MD) 3298/15

Mrs.D.ReenaIswariya AGP(P)
for R1 to R3 in WP.No.24103/13 and
24104/13

O R D E R

(Made by Huluvadi G.Ramesh, J)

These writ petitions have been filed by the Teachers who are working in Minority Schools. Their main grievance is that their appointments were not approved by the respondents on the sole ground that they were not qualified with a pass in Teachers Eligibility Test, as prescribed in G.O.Ms.No.181, School Education (C2) Department, dated 15.11.2011. Therefore, they have come up with the above writ petitions.

2. Heard the learned counsel for the petitioners and the learned Additional Advocate General.

3. In identical batch of writ petitions, namely W.A.No.213 of 2016 etc. cases, this Court, after hearing all the parties, passed a detailed order on 24.8.2016. The relevant portions of the order read as under:

"60. In the light of the above, we are of the view that the Government cannot insist upon the minority institution, both aided or unaided, to abide by any Regulation framed under the provisions of the RTE Act. Therefore, we hold that G.O.Ms.No.181, School Education (C2) Department dated 15.11.2011 issued by the Government of Tamil Nadu, is not applicable to the minority institutions. Similarly, G.O.Ms.No.76 dated 18.3.2015 issued by the Government of Puducherry, is also not applicable

to the minority institutions.

61. Though the intention of the Government is that there should not be any discrimination among the Teachers working in non-minority Schools and minority Schools with respect to qualification and that there should be uniformity in the teaching imparted to the children, in view of the decision of the Apex Court in Pramati Educational & Cultural Trust, the Government cannot take shelter under the guise of discrimination to impose restrictions on minority institutions.

62. However, keeping in mind the larger interest in which the Government has issued the above G.Os., this Court feels that the minority institutions may also consider conducting a refresher course and also some interactive sessions to all the Teachers during annual vacation, in order to ensure and improve the quality of Teachers.

63. In the result, the writ petitions are allowed and the writ appeals are dismissed with a direction to the Government to release the salary of the Teachers and also to pay the arrears of salary within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected M.Ps. are closed."

4. Following the above order, these writ petitions are also allowed on the same lines. There shall be no order as to costs. Consequently, connected M.Ps. are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kpl

To

1. The Joint Director of Elementary Education (Aided)
College Road
Chennai 6.

2. The District Elementary Educational Officer
Perambalur District.

3. The Additional Assistant
Elementary Educational Officer
Veepanthatati.

4.The Secretary
Union Territory of Puducherry
Department of Education
Puducherry

5.The Director of School Education
government of Puducherry
Directorate of School Education
Pondicherry

6.The Senior Accounts officer
Government of Puducherry directorate of
School Education Pondicherry

7.The Secretay
Government of Tamil Nadu Education Department
Fort St.George Chennai

8.The Director of School Education
DPI Campus college Road, Chennai

9.The Chief Educational Officer
Kancheepuram

10.The District Educational officer
Chengalpet

11.The Additional Chief Secretary
Department of School Education
Fort St.George Chennai

12.The District Elementary
Educational officer Villupuram

13.The Additional Assistant Elementary Educational Officer
Chinnasalam Villupuram

14.The District Elementary Educational officer
Cuddalore

15.The chief Educational officer,
Villupuram

16.The District Educational officer
Kallkurichi Villupuram

17.The District Elementary Educational officer
Thiruvannamalai

18.The Assistant Elementary Educational officer
Tiruvannamalai

19.The Chief Educational officer
Sathuvachari Vellore

20. The District Educational officer
Tiruppatur Vellore

21.The Chief Educaitonal officer
Panagal Maligai Saidapet
Chennai-15

22.The District Educational officer
Chennai East jayagopalkarodia
Government Higher Secondary School
Choolaimedu Chennai-94.

23.The Additional Assistant Elementary
Educational officer Vridhachalam
Cuddalore

24.The District Elementary Educational officer
Vellore

25.The Additional Assistant Elementary Educational
officer peranmpet Vellore

26.The Chief Educational officer
Kangakumari District

27.The District Educational officer
Kuzhithurai at Marthandam

28. The Distrit elementary educational
officer, Thoothukudi

29.The Assistant Elementary Educational officer
Tuticorin

30.The Assistant Elementary Educational officer,
Sathankulam Range
Tuticorin

31.The District Elementary Educational officer
Tirunelveli

32.The Additional Assistant Elementary
Educational officer
Vasuthavanallur
Tirunelveli

33.the Principal Secretary
Government of Tamil nadu
Department of School Education
Fort St.George Chennai.

34.The Assistant Elementary
Educational officer
Srivaigundam,.Thoothukudi

35.The Secretary
Teachers Recruitment Board
EVK Sampath, Maligai
DPI Campus, Chennai

36.The Assistant Elementary
Educational officer
Alwarthirunagari
Tuticorin

+1 cc to M/s.V.Raghupathi Advocate sr 60054 dt:28/12/2016
+10 ccs to Mr.V.Raghupathi Advocate sr 60055 to 60064
+3 ccs to Mr.T.Dharani Advocate sr 60371 to 60373
+1 cc to Mr.K.H.Ravikumar Advocate sr 59486
+1 cc to Mr.A.S.Kairzer Advocate sr 60280
+1 cc to Mr.P.Ravi Advocate sr 59830
+1 cc to Mr.V.Suthakar Advocate sr 60511
+1 cc to Mr.P.Rajendran Advocate sr 59742
+4 cc to M/s.A.Arul Mary Advocate sr59760 dt 23/01/2017

W.P.Nos.21979 of 2014, 24103,
24104,31767, 32103, 32766 of 2013,
28147,32862 of 2014, 2607, 7482,
13536,13595, 13596, 32245, 38436 to
38438of 2015, 6745, 29311, 29313,
29315 &29930 to 29933 of 2016 &
WP(MD) Nos.12840, 13164 to 13167,
13735 of 2014, 3298 & 5035 of 2015.
20.10.2016.

scd(co)
aa26/12/2016