



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2017

CORAM :

**THE HONOURABLE MR. JUSTICE S. S. SUNDAR**W.P. (MD) No.10306 of 2017

WEB COPY

A.Wilson

... Petitioner

Vs.

1.The Secretary to Government,  
School Education Department,  
Government of Tamil Nadu,  
St.Fort George,  
Chennai - 600 009.

2.The Director of School Education,  
College Road,  
Chennai - 600 006.

3.The Chief Educational Officer,  
Trichy.

4.The District Educational Officer,  
Trichy District,  
Trichy.

5.The Secretary,  
The Higher Secondary School for Boys,  
Srirengam,  
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Mandamus, forbearing the respondents from compelling the petitioner to get pass mark in Teachers Eligibility Test for continuance in the post of B.T.Assistant (English) at the 5<sup>th</sup> respondent School.

For Petitioner

:Mr.P.Ganapathi Subramanian

For Respondents

:Mr.J.Gunaseelan Muthiah,  
Government Advocate

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ORDER

This Writ Petition has been filed by the petitioner, for issuance of a Writ of Mandamus, forbearing the respondents from compelling the petitioner to get pass mark in Teachers Eligibility Test for continuance in the post of B.T. Assistant (English) at the fifth respondent School.



2.The brief facts that are necessary for the disposal of this Writ Petition are as follows:

2.1. Admittedly, the petitioner was appointed as B.T. Assistant (English) in the fifth respondent school only on 18.01.2012. It is settled law that the pass mark in Teachers Eligibility Test is an essential qualification for all the teachers, who were appointed after issuance of Government Order in G.O.Ms.181 dated 15.01.2011.

2.2. As a matter of fact, the eligibility of persons, who were appointed after the notification issued by the Central Government in the year 2010, and before the Government Order in G.O.Ms.No.181, dated 15.01.2011, itself is an issue before this Court in a batch of Writ Petitions.

2.3. Since the petitioner was appointed only in the year 2012, there is no scope for entertaining this Writ Petition. Since, the petitioner is required to pass the Teachers Eligibility Test, it is open to him to approach the respondents, so that the respondents may pass appropriate orders enabling the petitioner to complete the Teachers Eligibility Test in future before ousting the petitioner from service.

3.With the above directions, the Writ Petition is disposed of. Consequently, the connected W.M.P.(MD) No.7879 of 2017 is closed. No costs.

Sd/-  
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government, School Education Department,  
Government of Tamil Nadu, St.Fort George, Chennai - 600 009.
- 2.The Director of School Education, College Road, Chennai - 600 006.
- 3.The Chief Educational Officer, Trichy.
- 4.The District Educational Officer, Trichy District, Trichy.

+One cc to Mr.P.Ganapathi Subramanian, Advocate, SR.No.59197

+One cc to The Special Government Pleader, SR.No.58863

cmr/gsp

RL/7C/2P/SV/MMS/SAR1/19/6/2017

W.P. (MD) No.10306 of 2017