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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.A.(MD)No.697 of 2017

and

C.M.P.(MD)No.5414 of 2017

1.The Government of Tamilnadu,
Represented 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-600 006.

3.The District Elementary Educational Officer,
The Office of the D.E.E.O., Tiruchirapalli,
Tiruchirapalli District.

4.The Additional Assistant Elementary Educational Officer,
The Office of the A.A.E.E.O,
Tiruchirapalli District. : Appellants/Respondents 1 to 4

Vs.

1.Mrs.R.Rani : 1st Respondent/Petitioner

2.The Correspondent,
Holy Redeemer's Middle School,
Palakkarai,
Tiruchirappalli-620 008. : 2nd Respondent/5th Respondent

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent Act, praying to set aside the interim order, dated 03.07.2015 passed in M.P.(MD).No.3 of 2015 in W.P.(MD).No.11174 of 2015.

Prayer in MP(MD). 3/ 2015 in WP(MD).11174/2015 :

To direct the respondents to accord temporary approval and pay salary to the petitioner working as B.T. Assistant (Tamil) in Holy Redeemers Middle School, Palakkarai, Thiruchirapalli-620 008, w.e.f. 10.06.2013.

Prayer in WP(MD). 11174/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus , calling for the records pertaining to the impugned G.O.Ms.No.181, School Education (C2) Department, dated

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15.11.2011, on the file of the 1st respondent, and the consequential proceedings dated 11.06.2015 , in O.Mu.No.2296/A4/2015 , 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 directing the respondents to approve the appointment of the petitioner Mrs. R. Rani as B.T. Assistant(Tamil) in Holy Redeemer s Middle School, Palakkarai, Tiruchiraplli-620 008, w.e.f. 10.06.2013, with all service benefits .

For Appellants : Mr.V.R.Shanmuganathan
Special Government Pleader

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JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

This Writ Appeal is against the interim order, dated 03.07.2015 passed in M.P.(MD).No.3 of 2015 in W.P.(MD).No.11174 of 2015.

2.The prayer sought for in the Miscellaneous Petition in M.P.(MD).No.3 of 2015 in W.P.(MD).No.11174 of 2015, is to direct the respondents to accord temporary approval and pay salary to the petitioner working as B.T. Assistant (Tamil) in Holy Redeemers Middle School, Palakkarai, Thiruchirappalli, w.e.f., 10.06.2013.

3.The above mentioned Miscellaneous Petition was allowed following the decision of the Hon'ble Supreme Court in ***Pramati Educational and Cultural Trust and others*** Vs. ***Union of India and others*** reported in ***(2014) 4 MLJ 486 (SC)***. The legal issue has been settled by the over mentioned decision and the requirement of passing T.E.T examination is not necessary for Minority Aided Educational Institutions.

4.Accordingly, this Writ Appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Additional Chief Secretary,
The Government of Tamilnadu,
Department of School Education,
Fort. St. George,
Madras-600 009.

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Tiruchirapalli District.

TSG/MR
JS/MR/KKR/SAR.2/4.7.2017/3P-5C

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