

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04-07-2018

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P. No.16109 of 2013

and

MP Nos.2 and 3 of 2013

A.Maria Mathalane Apies Vinolia ... Petitioner

versus

- 1.The Director of School Education,
DPI Complex,
College Road,
Chennai-600 006.
- 2.The District Elementary Educational Officer,
Tuticorin,
Tuticorin District.
- 3.The Manager and Correspondent,
Tagore Memorial Middle School,
58A, Sundararamapuram,
Tuticorin-628 002. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue writ of Certiorarified Mandamus, calling for the records relating to the proceedings issued by the first respondent in Na.Ka.No.37718/F2/11 dated 15.11.2012 and the subsequent order issued by the second respondent in Tho.Mu.Mu.2777/A4 dated 22.11.2012 and quash the same and consequently direct the respondents to release the salary grant in favour of the petitioner from November 2012 onwards with arrears of salary with interest.

For Petitioner : Mr.G. Sankaran

For Respondents-1&2 : Mr. K.Karthikeyan,
Government Advocate

For Respondent-3 : No Appearance

O R D E R

The relief sought for in this writ petition is to call for the records relating to the proceedings issued by the first respondent in Na.Ka.No.37718/F2/11 dated 15.11.2012 and the subsequent order issued by the second respondent in Tho.Mu.Mu.2777/A4 dated 22.11.2012 and quash the same and consequently direct the respondents to release the salary grant in favour of the petitioner from November 2012 onwards with arrears of salary with interest.

2. The learned counsel appearing on behalf of the writ petitioner made a submission that the writ petitioner was not possessing the requisite qualification of Teachers' Eligibility Test (TET). However, by virtue of the interim order granted by this Court, a temporary approval was granted to the petitioner and she is continuing in service as such.

3. The learned counsel for the writ petitioner as well as learned Government Advocate brought to the notice of this Court that the Government passed orders extending time to possess the requisite qualification of pass in Teachers' Eligibility Test. Accordingly, every Teacher appointed has to pass the Teachers' Eligibility Test, before 31.03.2019.

4. Thus, it is made clear that the petitioner may be allowed to continue in service till 31.03.2019 and it is further made clear that the petitioner should possess the qualification of Teachers' Eligibility Test before the cut off date fixed by the Government. If the petitioner is not in a position to pass the test, then the respondents are at liberty to take all further action after the expiry of the time limit, fixed by the Government for passing the Teachers Eligibility Test.

5. With this observation, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant RegistrarSvn

To

1.The Director of School Education,
DPI Complex,
College Road,
Chennai-600 006.

2.The District Elementary Educational Officer,
Tuticorin,
Tuticorin District.

+1cc to the Government Pleader, S.R.No.44072

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NMI (CO)
GSP(16/07/2018)



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