



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)Nos.18872 & 18873 of 2013

and

M.P (MD) Nos.2 & 2 of 2013

and

M.P (MD) No.1 of 2014

W.P (MD) No.18872 of 2013

Vijayakumar

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Chennai-9.

2.The Director of School Education,
Chennai-6.

3.The Chief Educational Officer,
Ramanthapuram @ Ramanathapuram District.

4.The District Educational Officer,
Ramanathapuram Educational District,
Ramanathapuram.

5.The Secretary,
Syed Ammal Higher Secondary School,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the record from the second and fourth respondents in their proceedings in Na.Ka.No.34116/D1/E4/2013 dated 07.11.2013 & Na.Ka.No.7334/A2/2013 dated 19.11.2013 respectively and quash the same and consequently direct the fourth respondent to reinstate the petitioner into service with applicable back wages along with continuity of service.

W.P (MD) No.18873 of 2013

Abdul Kalam Azath

... Petitioner



Vs.

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Department of School Education,
Chennai-9.

2.The Director of School Education,
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For Petitioners	: Mr. N.Sathish Babu
For R1 to R4	: Mrs.S.Srimathy, Special Government Pleader
For R5	: No appearance

COMMON ORDER

The order impugned, dated 07.11.2013 issued for cancelling the appointments made on the ground that the Teachers appointed had not passed the Teachers Eligibility Test, is under challenge in the present writ petition.

2.The writ petitioners were appointed as B.T.Assistant (Tamil) and B.T.Assistant (Maths) on 01.06.2012 and 12.12.2011 respectively. The appointments made were proposed to be cancelled in the impugned proceedings, dated 07.11.2013 on the ground that the writ petitioners had not passed the Teachers Eligibility Test.

3.This Court is of the considered opinion that the National Council for Teachers Education (NCTE) issued the regulations fixing the minimum educational qualification for appointment to the post of Teachers. The Government of Tamil Nadu also adopted the minimum educational qualification fixed by the National Council for Teachers



Education. Accordingly, pass in Teachers Eligibility Test is the mandatory qualification for appointment to the post of Teachers.

4.The learned counsel appearing on behalf of the petitioners also states that the appointments of the writ petitioners were sought to be cancelled on the ground that they have not passed the Teachers Eligibility Test during the relevant point of time. Under these circumstances, if at all the writ petitioners have cleared the Teachers Eligibility Test, then alone their case can be considered and not otherwise and now pass in Teachers Eligibility Test is a mandatory qualification for appointment to the post of Teachers.

5.With these observations, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary to Government of Tamil Nadu,
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Ramanathapuram Educational District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-78843[F] dated 31/07/2019

W.P. (MD)Nos.18872 & 18873 of 2013

30.07.2019

_KK/SAR/14.08.2019/3P-6C/