



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P(MD)Nos.10501 to 10503 of 2019

WEB COPY

A.Agnes ... Petitioner in W.P(MD)No.10501 of 2019
A.Easter Anbu Rani ... Petitioner in W.P(MD)No.10502 of 2019
T.Susila Rathinam ... Petitioner in W.P(MD)No.10503 of 2019

Vs.

1.The District Educational officer,
Valliyoore, Thirunelveli District.

2.The Correspondent,
Hindu High School,
Pandithankurichi,
Pathai (Post) Kalakad,
Tirunelveli District.

... Respondents in all W.Ps.

COMMON PRAYER : Writ Petitions are filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the 1st respondent to approve the sanction of yearly increment from 01.10.2013, 01.07.2013 and 01.10.2018 respectively by the 2nd respondent and re-fix the scale of pay as per the 7th Pay Commission and pay all monetary benefits within the time fixed by this Court.

For Petitioners : Mr.H. Arumugam in all cases
For Respondents : Mrs.S.Srimathy, in all cases
Special Government Pleader.

COMMON ORDER

These writ petitions have been filed to direct the first respondent to approve the sanction of yearly increment from 01.10.2013, 01.07.2013 and 01.10.2018 respectively by the 2nd respondent and re-fix the scale of pay as per the 7th Pay Commission and pay all monetary benefits within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents 1 to 3. By consent, these Writ Petitions are taken up for disposal at the admission stage itself.

3. According to the learned counsel for the petitioners, the petitioners are working as teachers in the minority school. However, they were denied annual increment on the ground that they



did not possess TET qualification. Aggrieved over the same, the petitioners are before this Court.

4. The learned Special Government Pleader appearing for the respondents submitted that the School, in which the petitioners are working, is a minority institution.

5. The Supreme Court as well as this Court in number of cases held that the teachers, who are working in the minority school, need not acquire TET qualification. Therefore, the denial of increment to the petitioners on the said ground is arbitrary, illegal and contrary to law. Hence, this Court is inclined to give appropriate direction to the respondents.

6. Accordingly, these writ petitions are disposed of, directing the respondents to consider the case of the petitioners and approve the eligible salary increment and re-fix their salary and pay the same to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1.The District Educational officer,
Valliyoor, Thirunelveli District.

2.The Correspondent,
Hindu High School,
Pandithankurichi,
Pathai (Post) Kalakad,
Tirunelveli District.

+3 CC to M/s.H.ARUMUGAM, Advocate SR-63824.

+1 CC to SPL GP SR-64050.

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CS: (04/06/2019) 2P 7C