



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.7055 of 2017

and

WMP(MD) Nos.5578 and 5579 of 2017

C.Vijaya Sheela

... Petitioner

vs.

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

2.The Chairman,
Teachers Recruitment Board,
College Road, Chennai - 06.

3.The Director of School Education,
Chennai - 06.

4.The Chief Educational Officer,
Madurai @ Madurai District.

5.The District Educational Officer,
Madurai Educational District,
Madurai - 2.

6.The Secretary,
National Cooperative Sugar Mills
Higher Secondary School,
B.Mettupatti, Vadipatti Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondents from in anyway disturb or relive the petitioner from the post of graduate teacher (science) from the 6th respondent school and consequently direct the respondents from in anyway insist the petitioner to write Teachers Eligibility Test (TET) examination as qualification for continuation of her service as graduate Teacher (science) in the 6th respondent school.

For Petitioner : Mr.N.Sathish Babu

For R1 to R5 : Mrs.S.Srimathy

Special Government Pleader

ORDER

This writ petition has been filed to forbear the respondents from in anyway disturb or relive the petitioner from the post of graduate teacher (science) from the 6th respondent school and consequently direct the respondents not to insist the petitioner to write Teachers Eligibility Test (TET) examination.

2.The learned Special Government Pleader appearing for the respondents 1 to 5 submitted that the case of the petitioner had already been protected by the Notification dated 07.11.2012, issued by the second respondent and therefore, no orders are necessary in this writ petition.

3.At this juncture, it is appropriate to extract the relevant portion of the Notification dated 07.11.2012, which reads as follows:

"II. ... The following candidates are not required to write Teacher Eligibility Test.

a. All appointments made prior to the date of Notification issued by the National Council for Teacher Education (NCTE) i.e. 23.08.2010.

b. Appointments made based on the advertisement issued before 23.08.2010 and appointment orders issued after 23.08.2010.

C. Appointments made based on the Certificate Verification (CV) conducted before 23.08.2010 and appointment orders issued after 23.08.2010.

4.The petitioner herein was appointed in the year 2009 and therefore, as per the said Notification dated 07.11.2012, qualification of Teacher Eligibility Test is not required to the petitioner. Since the case of the petitioner had already been protected by the said Notification dated 07.11.2012, no orders are required to be passed in this writ petition. Accordingly, the same is disposed of. No costs. Consequently, WMP(MD)Nos.5578 and 5579 of 2017 are closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

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To

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



2.The Chairman,
Teachers Recruitment Board,
College Road,
Chennai - 06.

3.The Director of School Education,
Chennai - 06.

4.The Chief Educational Officer,
Madurai @ Madurai District.

5.The District Educational Officer,
Madurai Educational District,
Madurai - 2.

+1CC TO MR.N.SATHISH BABU, Advocate Sr. No. 55769
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.56264

W.P(MD) No.7055 of 2017
21.03.2019

TR (16.04.2019) 3P 8C