



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM:

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

W.P.(MD).No.8328 of 2014

and

MP(MD).Nos.1,2 and 3 of 2014

C.Thenmozhi

... Petitioner

-Vs-

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

2.The Chief Educational Officer,
Nizam Colony,
New Brahathambal School,
Pudukkottai.

3.The District Educational Officer,
Pallavankulam North Street,
Pudukkottai.

4.The Secretary,
M.CT.RM.Ramanathan Chettiar Higher Secondary School,
Kulipirai, Pudukkottai District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the proceedings of the 3rd respondent made in Na.ka.No.3904/A4/2013, dated 13.11.2013 and quash the same as illegal and arbitrary.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mrs.S.Srimathy
Special Government Pleader
(for R1 to R3)

No Appearance (for R4)

ORDER

The impugned order, dated 13.11.2013, regarding the



cancellation of appointment of the writ petitioner on the ground that she has not passed the Teachers Eligibility Test, is under challenge in the present writ petition.

2.The writ petitioner was appointed in the fourth respondent school as B.T. Assistant and was working as such. When the proposals were submitted for the approval of appointment of the petitioner, the competent authorities of Education Department imposed the condition that a teacher himself passed the Teachers Eligibility Test as per the notification issued by the National Council for Teachers Education which was implemented by the Government of Tamil Nadu as per the National Educational Policy passed in Teacher Eligibility Test is a mandatory qualification for appointment to the post of teachers and therefore, only in the event of passing the Teachers Eligibility Test the appointments can be conferred and not otherwise.

3.The learned counsel appearing on behalf of the writ petitioner is unable to establish whether the writ petitioner as of now has passed the Teachers Eligibility Test or not. The Government also granted extension of time for passing the Teachers Eligibility Test. Under these circumstances, if the writ petitioner has already passed the Teachers Eligibility Test in accordance with the Government Orders in force, then her case has been kept considered for approval of appointment in accordance with the rules in force. If the petitioner has not passed the Teachers Eligibility Test, then as per the impugned order or appointment is liable to be cancelled with reference to the policy of the Government, in the matter of minimum educational qualifications prescribed for appointment to the post of teachers.

4.With these clarifications, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

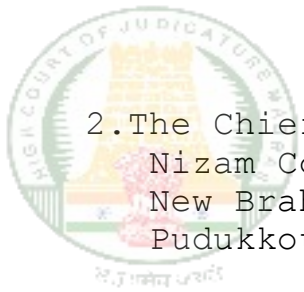
Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

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



2.The Chief Educational Officer,
Nizam Colony,
New Brahathambal School,
Pudukkottai.

3.The District Educational Officer,
Pallavankulam North Street,
Pudukkottai.

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-82574[F] dated 20/08/2019)

+1 CC to M/s.SPL GP (SR-82821[F] dated 21/08/2019)

sjj

W.P. (MD) .No.8328 of 2014
20.08.2019

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