



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.18231 of 2015

and

M.P. (MD) No.1 of 2015

I.Shakila Banu

... 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,
Madurai @ Madurai District.

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

5.The Secretary,
Mangaiyarkarasi Higher Secondary School,
No.123, West Anna Thoopu Street,
Madurai-625 016.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the record from the 4th respondent in his proceedings in Na.ka.4988/A5/2015, dated 09.2015 and quash the same.

For Petitioner : Mr.N.Sathish Babu

For Respondent : Mrs.S.Srimathy
Special Government Pleader
(for R-1 to R-4)

No Appearance (for R-5)



ORDER

The show cause notice issued to the writ petitioner in proceeding dated September 2015, is under challenge in the present writ petition.

2.The writ petitioner was appointed as BT Assistant (Maths) in the fifth respondent's school. The District Educational Officer, Madurai, issued the show cause notice stating that the writ petitioner has not passed the Teachers Eligibility Test and therefore, the appointment is liable to be cancelled. Challenging the said notice, the present writ petition is filed.

3.As per the regulation of the National Council for Teacher Education, the pass in Teachers Eligibility Test is the mandatory qualification. The Government of Tamil Nadu also adopted the regulation and as of now no teacher can be appointed, unless the qualification of Teachers Eligibility Test is possessed. Thus, the writ petitioner has to pass the Teachers Eligibility Test for her continuance as a teacher. The writ petitioner during the relevant point of time had not passed the Teachers Eligibility Test. Thus, if at all during the pendency of the writ petition, the writ petitioner has passed the Teachers Eligibility Test, then she is at liberty to approach the competent authority for the purpose of redressing her grievances. In the event of not passing the Teachers Eligibility Test, the writ petitioner is not at all eligible for appointment to the post of BT Assistant.

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

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To

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,
Madurai @ Madurai District.

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

+1 CC to M/s.SPL GP (SR-78837[F] dated 31/07/2019)

W.P. (MD) .No.18231 of 2015
30.07.2019

KK/SAR/13.08.2019/3P-6C/