



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 3807 of 2014

&

M.P.No.1 of 2014

R.Kalpana

...Petitioner

-Vs-

1. The Government of Tamil Nadu,
Rep by its Secretary to Education,
Fort St.George, Chennai - 09.

2. The Chairman,
Teacher recruitment Board,
4th floor, EVK Sampahth Salai,
DPI Compound, College Road,
Chennai - 6 .

3. The Chief Educational Officer,
CEO Office,
Thiruvallur,
Thiruvallur District.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the first and second respondent from insisting the petitioner to produce eligibility certificate for an appointment of Secondary Grade Teacher, as she has completed the selection process on 04.12.2011, even before the first eligibility test conducted by the second respondent on 12.07.2012 and consequently direct the first and second respondents to consider the petitioner for appointment as Secondary Grade Teacher based on the petitioner for appointment as Secondary Grade Teacher based on the G.O.Ms.No.153 School Education Department dated 03.06.2010 and the Advertisement as No.2/2011 dated 09.11.2011 followed by the certificate verification conducted on 04.12.2011.

For Petitioner : Mr.S.Anbazhagan



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For Respondents : Ms.S.Anitha,
Special Government Pleader
(for R.1 & R.3)
Mr.C.Kathiravan,
Special Government Pleader
(for R.2)

ORDER

The relief sought for in the present Writ petition is to forbear the respondents 1 & 2 from insisting the petitioner to produce Teachers Eligibility Test certificate for appointment as Secondary Grade Teacher in the Education Department.

2. The qualification of Teachers Eligibility Test as mandatory criteria has been now settled by the High Court. For appointment to the teaching post, passing of Teachers Eligibility Test is the requisite qualification and further mandatory.

3. The learned counsel for the petitioner made a submission that the issue is still pending before the Hon'ble Supreme Court of India in S.L.P.A.(Civil) No.31042 of 2012. If at all any orders are passed by the Hon'ble Supreme Court of India in the main appeal, the petitioner is at liberty to approach the Authorities to resolve the issues. Contrarily, this Court cannot issue any direction to dispense with qualification of Teachers Eligibility Test as it became mandatory pursuant to the orders passed by this Court.

4. With the above observations, the writ petition stands disposed of. No costs. Connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrn

1. The Secretary to Education,
Government of Tamil Nadu,
Fort St.George, Chennai - 09.



2. The Chairman,
Teacher recruitment Board,
4th floor, EVK Sampahth Salai,
DPI Compound, College Road,
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3. The Chief Educational Officer,
CEO Office, Thiruvallur,
Thiruvallur District.

+1cc to Mr.C.Kathiravan,, Advocate, S.R.No.32991

+1cc to the Government Pleader, S.R.No.33628

W.P.No.3807 of 2014

RSI (CO)
CT/22/06/2022