



W.A.(MD) No.735 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.735 of 2023
and
C.M.P.(MD) No.6318 of 2023**

1.The Chief Educational Officer
Tirunelveli, Tirunelveli District

2.The District Educational Officer
Tirunelveli, Tirunelveli District

... Appellants

-vs-

1.M.Jesu Mathew Benno

2.The Correspondent
St.Antony's High School
Pettai, Tirunelveli
Tirunelveli District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 22.07.2022, passed in W.P.(MD) No.6013 of 2022, on the file of this Court.



W.A.(MD) No.735 of 2023

WEB COPY

For Appellants : Mr.D.Sadiq Raja
Additional Government Pleader

For Respondents : Ms.A.Amala for R1

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

It is the consistent view of several Division Bench Judgments of this Court that Teachers Eligibility Test is not required for even appointment in Minority Institutions. The question is now pending before the Honourable Supreme Court.

2. A Division Bench of this Court in its Judgment dated 28.09.2021 in W.A.(MD) No.1862 of 2021, after taking note of the pendency of Special Leave Petition before the Apex Court, has observed as follows:

“3.Since the issue is already covered by a Division bench judgment, no question arises of revisiting the same. In the event the SLP succeeds and the relevant order is set aside, that will govern all matters.

4.Accordingly, in view of the judgment rendered on July 6, 2021, in W.A.(MD) No.1273 of 2021 and W.A.(MD) No.1274 of 2021, the present writ appeal, W.A.(MD) No.1862, is dismissed.”



W.A.(MD) No.735 of 2023

WEB COPY

3. In view of the above decision, this writ appeal fails and it is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

08.06.2023

NCC : Yes / No
Index : Yes / No
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W.A.(MD) No.735 of 2023

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