



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

WEB COPY

CORAM:

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

W.A. (MD) No.658 of 2023
and
C.M.P. (MD) No.5948 of 2023

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

2.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.

3.The District Educational Officer,
Mandabam, Ramanathapuram District.
Now at,
The District Educational Officer,
Ramanathapuram District.

... Appellants

-vs-

1. B.Britto
B.T.Assistant (Mathematics)
St.Joseph Higher Secondary School,
Verkottu, Rameswaram,
Ramanathapuram District. ... 1st Respondent/Writ Petitioner

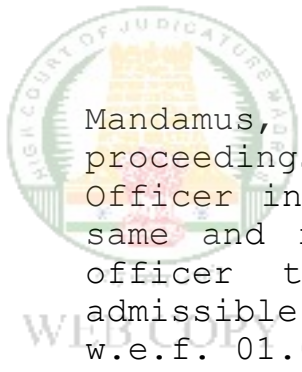
2. The Correspondent,
St.Joseph Higher Secondary School,
Verkottu, Rameswaram,
Ramanathapuram District. ... 2nd Respondent/ 4th Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 28.07.2022, passed in W.P.(MD) No.10308 of 2021, on the file of this Court.

Prayer in WP(MD). 10308/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified

<https://www.mhc.tn.gov.in/judis>



Mandamus, calling for the records relating to the proceedings issued by the 3rd respondent District Educational Officer in Na.Ka.No. 1704 / A3 / 2020 dated 06.08.2020 quash the same and further direct the 3rd respondent District Educational officer to sanction and release forthwith annual increment admissible to the petitioner in the post of BT Assistant (Maths) w.e.f. 01.04.2013 with all consequential benefits.

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

For Respondents : Mr.R.Ragatheesh Kumar
for M/s.Isaac Chambers
for R1 (in S.R.Stage)

J U D G M E N T

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

The Writ Court has allowed the writ petition on the ground that being a teacher, appointed in a minority educational institution, TET qualification is not necessary as well as on the ground that the petitioner has obtained TET qualification subsequently. Even though Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the appellants, has reservation in our upholding the first ground, we do not see any grievance for the learned Additional Government Pleader for upholding the second ground on which the writ petition has been allowed, namely, the fact that the petitioner has obtained TET qualification subsequently.

2. Hence, we do not see any merit in the appeal and accordingly, it is dismissed. We also place on record the proceedings of the District Educational Officer, Elementary School, dated 18.06.2023 under which all the benefits have been given to the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)



W.A.(MD)



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To:

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

2.The Chief Educational Officer,
Ramanathapuram,
Ramanathapuram District.

3.The District Educational Officer,
Ramanathapuram District.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-29152[F] dated
20/06/2023)

W.A. (MD) No.658 of 2023
19.06.2023

MK/10.07.2023 3P 5C