



Cont.P.(MD).No.2264 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.11.2023

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Cont.P.(MD).No.2264 of 2023

in

W.P.(MD).No.8434 of 2019

Central Higher Secondary School,
Kayalpatnam – 628 204,
Tuticorin District,
Represented by its Correspondent.

.. Petitioner/Petitioner

Vs.

1.L.Rejini,
The Chief Educational Officer,
Tuticorin District,
Tuticorin – 628 002.

2.A.Gurunathan,
The District Educational Officer,
Tiruchendur – 628 215,
Tuticorin District.

.. Respondents 1 & 2 /Contemnors

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the contemnors/respondents for the deliberate and willful disobedience of the order dated 09.04.2019 of this Court made in W.P.(MD).No.8434 of 2019.



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For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

As per the orders of this Court dated 09.04.2019, it was held that the Teachers Eligibility Test (TET) is not necessary for an appointment made by a minority School. The Central Higher Secondary School, Kayalpatnam is a minority institution. Therefore, as per the orders of this Court, the question of the teacher, Benazir, possessing TET qualification would not arise.

2. This Court, however, did not grant positive direction to the respondents to approve the appointment of Benazir in the petitioner School. It only directed the said authorities to consider the proposal sent by the institution for the approval of appointment of Benazir. By an order dated 17.08.2022, the proposal has been rejected.

3. The learned counsel for the petitioner would submit that the order passed by the respondents is erroneous and contrary to the orders of this Court.



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4. Sitting in contempt jurisdiction, I cannot set aside the rejection order. The appropriate remedy available for the petitioner is to file a Writ Petition challenging the same. Leaving it open to the petitioner to challenge the order dated 17.08.2022, this Contempt Petition stands closed.

21.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The Chief Educational Officer,
Tuticorin District,
Tuticorin – 628 002.
- 2.The District Educational Officer,
Tiruchendur – 628 215,
Tuticorin District.



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V.LAKSHMINARAYANAN,J.

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