



W.P.No.2433 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2433 of 2024

and

W.M.P.Nos.2650, 2651 and 2652 of 2024

1. P.Saritha
2. B.John Bosco
3. C.Jayanthi
4. K.Bhuvaneshwari
5. S.Vinoth Kumar
6. M.Ramalakshmi
7. S.Rathiga
8. A.Selvalakshmi
9. S.Latha
10. M.Manimala
11. M.Devaraj
12. C.Arulmani
13. D.Arivazhagan
14. K.Parameswari
15. M.Gandhimathi
16. R.Arunthadhi
17. K.Anandhi
18. S.Kala
19. T.Gnanakkan
20. K.Jayasudha
21. T.Sowmiya
22. Veeraselvi
23. P.Dhivya
24. S.Jeyakani



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25. R.Kalaiyarasan
26. A.E.Bharathi
27. G.Anitha
28. N.E.Mani
29. S.Sumathi
30. P.Amala
31. K.Tamilselvan
32. B.Raja
33. C.Tamilarasi
34. V.Nandhakumar
35. S.Pratheeba
36. V.Senthilkumar
37. S.Raghunathan
38. S.Deepa
39. R.Chandra
40. S.Anitha
41. S.Tenson Daniel
42. V.R.Mangai
43. T.Ramesh Kumar
44. V.A.Selvi
45. C.Krishnaveni
46. N.P.Kanchana
47. K.Bhuvaneswari
48. S.Manikandan
49. N.Meikandadevan
50. P.Nesamani

...Petitioners

-Vs-

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai - 600 009.



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2.National Council for Teacher Education,
represented by its Member Secretary,
G-7, Sector-10, Dwarka,
New Delhi - 110 075.

3.Teachers Recruitment Board(TRB),
represented by its Member Secretary,
EVK Sampath Maaligai,
DPI Campus,
College Road, Chennai - 600 006.

4.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of G.O.Ms.No.149, School Education (Aa.The.Va) Department dated 20.07.2018 issued by the 1st respondent and to quash the same as being ultravires the Right of Children to Free and Compulsory Education Act 2009 and the National Council Teacher Education (NCTE) notifications dated 23.08.2010, 11.02.2011 and 29.07.2011 and as such unsustainable in law and consequently, direct the 3rd and 4th respondents to appoint the petitioners as Secondary Grade Teachers based on their Teacher Eligibility Test marks in TET Paper - I and seniority without appearing in the competitive examination as per G.O.Ms.No.149, School Education (Aa.The.Va) Department, dated 20.07.2018.



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For Petitioners : M/s C.Uma

For R1 & R4 : Mrs.S.Mythereya Chandru
Special Government Pleader

For R2 : Mr.J.Harikrishnan
CGSC

For R3 : Mr.R.Neelakandan
Additional Advocate General
assisted by
Mr.C.Kathiravan

ORDER

This writ petition has been filed calling for the records of G.O.Ms.No.149, School Education (Aa.The.Va) Department dated 20.07.2018 issued by the 1st respondent and to quash the same as being ultravires the Right of Children to Free and Compulsory Education Act 2009 and the National Council Teacher Education (NCTE) notifications dated 23.08.2010, 11.02.2011 and 29.07.2011 and as such unsustainable in law and consequently, direct the 3rd and 4th respondents to appoint the petitioners as Secondary Grade Teachers based on their Teacher Eligibility Test marks in TET Paper - I and seniority without appearing in the competitive examination as per G.O.Ms.No.149, School Education (Aa.The.Va) Department, dated 20.07.2018.



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2. Heard the learned counsel on either side respondent and perused the materials available on record.

3. This Court had already dealt with a similar issue in W.P.No.161 of 2024 and this Court, by an order dated 08.01.2024, dismissed the writ petition.

4. Therefore, in the light of the order passed by this Court in W.P.No.161 of 2024, dated 08.01.2024, this writ petition is dismissed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

05.02.2024
(2/4)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

- 1.The Principal Secretary to Government,
School Education Department,
Fort St. George, Chennai - 600 009.
- 2.The Member Secretary,
National Council for Teacher Education,
G-7, Sector-10, Dwarka,
New Delhi - 110 075.
- 3.The Member Secretary,
Teachers Recruitment Board(TRB),
EVK Sampath Maaligai,
DPI Campus,
College Road, Chennai - 600 006.
- 4.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

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