



W.P.No.10878 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM:

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

W.P.No.10878 of 2022

and

W.M.P.Nos.10492 and 10493 of 2022

1.S.Venkatesan

2.K.Venkatraman

...Petitioners

-Vs-

1.State of Tamilnadu,
Represented by its Secretary,
School Education Department,
Fort St.George,
Chennai – 600009

2.The Commissioner,
School Education,
DPI Campus, College Road,
Chennai – 600 006

3.The Joint Director (Personnel),
DPI Campus,
College Road,
Chennai – 600 006

... Respondents



W.P.No.10878 of 2022

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Na.Ka.No.00701/C3/E1/2022 dated 18.04.2022 so far as the conduct of unit to unit transfer on priority blocks is concerned to be held on 27.04.2022 and quash the same and consequently direct the respondents to first conduct promotion counselling from the post of Secondary Grade Teachers to B.T. Assistants and then conduct the unit to unit transfer counselling.

For Petitioners : M/s.Suneetha

For Respondents : Mr.S.Arumugam
Government Advocate

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Na.Ka.No.00701/C3/E1/2022, dated 18.04.2022 so far as the conduct of unit to unit transfer on priority blocks is concerned to be held on 27.04.2022 and quash the same and consequently direct the respondents to first conduct promotion counselling from the post of Secondary Grade Teachers to B.T. Assistants and then conduct the unit to unit transfer counselling.

2. Heard the learned counsel on either side and perused the



W.P.No.10878 of 2022

materials available on record.

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3. It is seen that if any promotion requires from the post of Secondary Grade Teachers to the B.T. Assistants, the petitioners ought to have qualified the Teachers Eligibility Test. Admittedly, the petitioners had joined the services with effect from 23.12.2002 and 31.01.2001. The relevant portion of the order passed by the Hon'ble Division Bench of this Court, in W.A.Nos.313, 833, 1891, 2050, 2082, 2617 and 2795 of 2022 dated 02.06.2023, is as follows :

“74. For the sake of clarity and ease of reference, the upshot of the above discussion is as under :

(a) Any teacher appointed as Secondary Grade Teacher or Graduate Teacher/BT Assistant prior to 29.07.2011 shall continue in service and also receive increments and incentives, even if they do not possess/acquire a pass in TET. At the same time, for future promotional prospects like promotion from secondary grade teacher to B.T. Assistant as well as for promotion to Headmasters, etc., irrespective of their dates of original appointment, they must necessarily possess TET, failing which they will not be eligible for promotion.”

4. Thus, it is clear that, for the future promotions with respect to their dates of original appointments, they must necessarily possess the



W.P.No.10878 of 2022

Teacher Eligibility Test, failing which, they will not be eligible for the promotion.

5. In view of the above, this Writ Petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

02.02.2024
(1/2)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J.

mkn2

To



W.P.No.10878 of 2022

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Fort St.George,
Chennai – 600009
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