



W.P.No.14279 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 04.06.2024**

WEB COPY

**CORAM :**

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.No.14279 of 2024**

1.P.Ramesh

2.P.Kumaravel

... Petitioners

**Vs.**

1.The State of Tamilnadu,  
Rep. by its Principal Secretary to Government,  
School Education Department,  
Fort St.George, Chennai – 600 009.

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

3.The Chief Educational Officer,  
Erode District.

4.SSV Higher Secondary School,  
Rep. by its Secretary,  
Kodumudi, Erode.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the entire annual increment and selection grade due to the petitioners from the year 2011 and to fix the petitioners scale of pay in selection grade and continue to pay the same.



W.P.No.14279 of 2024

For Petitioners : Mrs.N.Kavitha Rameshwar

WEB COPY

For R1 to R3 : Mrs.S.Mythreye Chandru  
Special Government Pleader (Education)

### **ORDER**

The writ petition has been filed to direct the respondents to pay the entire annual increment and selection grade due to the petitioners from the year 2011 and to fix the petitioners scale of pay in selection grade and continue to pay the same.

2. Admittedly, the petitioners were appointed on 10.02.2011 prior to the issuance of notification in G.O.Ms.No.181, School Education (C2) Department, dated 15.11.2011. Already similar cases have been dealt with and a Division Bench of this Court in W.A.No.313 of 2022 has allowed the claim of the teachers and held that for teachers who are appointed prior to the date of notification, a pass in Teacher Eligibility Test need not be insisted upon. As a matter of fact, in the Special Leave Petition preferred as against the said order, the State has taken an express stand that they are not pressing the appeal in respect of that portion of the order and the SLP is pending in respect of the other portion of the order of the Division Bench alone.



W.P.No.14279 of 2024

3. In any event, so long as the petitioners are continued in service, their appointment cannot be treated as valid for some purposes and invalid for some other purposes. When the petitioners have been duly appointed and it has already been held that for the appointment, TET is not necessary, the same cannot be once again insisted upon for grant of further increments, etc.

4. In view thereof, the writ petition is allowed and the respondents are directed to consider the case of the petitioners for grant of all the eligible increments, pay fixation, etc., and grant them all the benefits, within a period of twelve weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

**04.06.2024**  
**(2/2)**

Neutral Citation : Yes  
dm

To

- 1.The Principal Secretary to Government,  
State of Tamilnadu, School Education Department,  
Fort St.George, Chennai – 600 009.
- 2.The Director of School Education,  
DPI Campus, College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,  
Erode District.



WEB COPY



W.P.No.14279 of 2024

**D.BHARATHA CHAKRAVARTHY. J.,**

dm

**W.P.No.14279 of 2024**

**04.06.2024**  
**(2/2)**