



WEB COPY



W.P.No.17890 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM:

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

W.P.No.17890 of 2024
and
W.M.P.No.19624 of 2024

G.C.Nalinibai

.... Petitioner

Vs

1. The Chief Educational Officer,
Tiruvallur.

2. The District Educational Officer,
Ponneri.

3. The Mother General
Bishop Aelen Illam,
FSJ Generalate
St.Thomas Mount,
Chennai – 600 016.

4. The Head Master,
St.Joseph High School,
Kottaikuppam, Pilicat Post,
Thiruvallur District – 601 205.

5. A.Kriupa
6. S.Priyanka

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Ceretiorari to quash the impugned



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order dated 15.03.2024 made in proceedings in OMU No.1171/A5/2024 and consequently direct the respondents to regularize her service in the respondent.

For Petitioner : Mr.B.Manimaran
For R1 & R2 : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 15.03.2024, thereby rejected the request made by the petitioner seeking regularisation of her service.

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

3. The petitioner is working as a Teacher in the fourth respondent School managed by the third respondent. While being so, on 15.07.2009, one Science teacher post became vacant and one Pradeep was appointed in the said post. However, in the year 2013, the said Pradeep has not reported to duty and as such, the petitioner was having additional charge of the said post on temporary basis. The petitioner completed ten years of her service. The petitioner applied before the



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second respondent for regularisation of her service. The said request was not considered and now she had completed seventeen years of service in the fourth respondent School. Therefore, the petitioner made a request and the same was rejected on the ground that the petitioner is not qualified with TET. Hence, this writ petition.

4. The learned counsel appearing for the petitioner would submit that the fourth respondent School is a minority School and as such the petitioner does not require the TET for the teachers appointed by the fourth respondent School.

5. A perusal of the impugned order dated 15.03.2024 reveals that the petitioner was appointed in a post which was not at all sanctioned by the fourth respondent. So far she is in charge of one post of a teacher, who was appointed in the vacancy of science teacher post. That apart, as per the Circular dated 04.10.2017, the teacher, who is qualified with TET, shall be appointed even in the minority school. TET is a mandatory qualification, which is prescribed nation wide. Pursuant to the provisions of the RTE Act and based on the regulations



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of the National Council for Teachers Education and the Teachers, who do not acquire the qualification of Teachers Eligibility Test, are not entitled for appointment in any educational institutions whether minority or majority.

6. Therefore, the request made by the petitioner was rightly rejected and this Court finds no infirmity or illegality in the order passed by the first respondent dated 15.03.2024. Thus, the writ petition lacks merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

05.07.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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To

1. The Chief Educational Officer,
Tiruvallur.

2. The District Educational Officer,
Ponneri.



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G.K.ILANTHIRAIYAN. J,

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