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Writ Petition No.31409 of 2024

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

**DATED: 22.10.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.31409 of 2024**  
**and**  
**W.M.P.Nos.34090 and 34092 of 2024**

M.Sunaina Begum  
W/o.A.Mohammed Nazar

... Petitioner

Vs.

1. The Director of School Education,  
DPI Campus, College Road,  
Chennai - 600 006.
2. The Chief Educational Officer,  
Tiruvarur District,  
Tiruvarur.
3. The District Educational Officer (Elementary),  
Tiruvarur Education District,  
Tiruvarur.
4. The Block Educational Officer,  
Mannargudi Block,  
Mannargudi - 614 001.  
Tiruvarur District.
5. The Correspondent,  
Allaudin Government Aided Primary School,  
Nagangudi - 614 101.  
Koothanallur Taluk.  
Tirurvarur District.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating the impugned proceedings issued by the 4th respondent in Na.Ka.No.4009/A5/2024 dated 15.07.2024 and to quash the same insofar as insisting TET qualification is concerned and consequently directing the respondents 3 and 4 to pass orders for granting approval of appointment of the petitioner in the sanctioned post of Secondary Grade Teacher in the 5th respondent School from the date of appointment with effect from 01.02.2024 with all consequential and other attendant benefits, including payment of arrears of salary from the date of appointment, based on the proposal resubmitted by the 5th respondent school dated 26.09.2024.

For Petitioner : Ms.J.Jayamalan

For Respondents : Mrs.S.Mythreye Chandru  
Special Government Pleader [R1 to R4]  
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### **ORDER**

This writ petition has been filed challenging the proceedings of the fourth respondent dated 15.07.2024 insofar as insisting the TET qualification and for a consequential direction to respondents 3 and 4 to grant approval for appointment of the petitioner in the post of Secondary Grade Teacher in the fifth respondent school from the date of appointment with all attendant benefits.



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2. Heard Ms.J.Jayamalan, learned counsel for petitioner and Mrs.S.Mythreye Chandru, learned Special Government Pleader appearing for respondents 1 to 4.

3. The petitioner was selected and appointed to the post of Secondary Grade Teacher in the fifth respondent school with effect from 01.02.2024. The further case of the petitioner is that she was appointed in a sanctioned post as per the staff fixation order issued for the academic year 2023-2024.

4. The proposal was submitted by the fifth respondent school before the fourth respondent. The fourth respondent, through impugned proceedings dated 15.07.2024, has returned the proposal by stating various reasons. The petitioner is aggrieved by only one reason, which touches upon the TET qualification. The specific case of the petitioner is that all other reasons that have been stated in the impugned proceedings have been fulfilled by the fifth respondent and the proposal will be re-submitted. It is under these circumstances, the present writ petition came to be filed before this Court.



5. Taking into consideration the specific ground raised by the petitioner to the effect that the proceedings of the fourth respondent is challenged only with respect to insisting for TET qualification, this Court finds that the issue is squarely covered by the earlier judgment of this Court in W.A.No.313 of 2022 *etc.* dated 14.06.2023. This Court has categorically held that insofar as the minority institutions are concerned, TET qualification is not mandatory for being appointed as a teacher. There is no dispute that the fifth respondent school is a minority school.

6. In the light of the above discussion, the impugned proceedings of the fourth respondent dated 15.07.2024 is interfered only insofar as insisting for TET qualification. The petitioner and the fifth respondent school shall satisfy all the other reasons that have been stated in the impugned proceedings and re-submit the proposal to the fourth respondent. In such an event, the respondents 3 and 4 shall deal with the same and grant approval for the appointment of the petitioner to the post of Secondary Grade Teacher from the date of appointment, subject to the petitioner fulfilling all the other requirements. This process shall be completed by respondents 3 and 4 within a period of six (6) weeks from the date of receipt of a copy of this order.



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In the result, this writ petition is allowed with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

**22.10.2024**

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order  
gm

To

1. The Director of School Education  
DPI Campus, College Road  
Chennai - 600 006
2. The Chief Educational Officer  
Tiruvarur District  
Tiruvarur
3. The District Educational Officer  
Tiruvarur Education District  
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**N.ANAND VENKATESH, J**

gm

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**22.10.2024**

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