



W.A.(MD).No.917 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD).No.917 of 2022
and
C.M.P.(MD)No.7632 of 2022**

1.The Chief Educational Officer,
Sivagangai, Sivagangai District.

2.The District Educational Officer,
Devakottai,
Sivagangai District.

... Appellants

-VS-

1.S.Celina Borgia

2.The Correspondent,
St.Mary's Girls Higher Secondary School,
Devakottai – 630 302,
Sivagangai District.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.12436 of 2021, dated 27.09.2021.

For Appellants	: Mr.S.P.Maharajan Special Government Pleader
For Respondents	: Ms.Amala



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JUDGMENT

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[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The subject matter of Appeal is the order of the writ court directing grant of annual increments to the 1st respondent which was denied on the ground that the 1st respondent has not qualified in the Teacher Eligibility Test.

2.This Court has consistently held that the qualification in Teacher Eligibility Test cannot be insisted upon in respect of Minority Institutions. The Writ Court has also noted the fact that the issue is no longer *res integra*, in as much as, this Court had in several cases, directed payment of annual increment. No doubt, a reference on this issue is pending before the Hon'ble Supreme Court but that cannot be a ground to deny increment to the 1st respondent.

3.Hence, the Writ Appeal is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

29.10.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Mrn



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