



W.A(MD) No.1504 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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and

C.M.P.(MD)No.12550 of 2022

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of School Education,
Fort St.George,
Chennai-600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai-6.

3.The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

4.The Secretary,
A.V.M.M.Edison Nadar Elementary School,
Vilampatti-626 124,
Virudhunagar District.

... Petitioner / Appellants

Vs.

M.Sermalatha,
Secondary Grade Teacher,

1/4



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A.V.M.M.Edition Nadar Elementary School,
Vilampatti-626 124,
Virudhunagar District.

... Respondent / Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 22.06.2021 made in W.P.(MD)No. 10387 of 2021.

For Appellants : Mr.V.Om.Prakash
Government Advocate
For Respondent : Mr.Porkodi Karnan

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The respondent herein was appointed as secondary grade teacher in a non-minority institution (A.V.M.M.Edition Nadar Elementary School) on 10.02.2011. Her appointment was approved on 19.04.2011. However, her annual increments and other attended benefits were not sanctioned. Therefore, the respondent filed W.P.(MD)No.10387 of 2021. It was allowed vide order dated 22.06.2021. Challenging the same, this writ appeal has been filed.



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3. The appointment of the respondent was before the cut off date ie., 29.07.2011. Her appointment was also approved. Therefore, it is inequitable to deny sanctioning annual increments and other attended benefits. The learned single Judge rightly allowed the writ petition. Interference with the said order is not warranted. If the writ petitioner wants promotion, then of-course, possession of TET is mandatory.

4. With this observation, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
27.11.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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