



W.A.(MD).No.1122 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

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

**W.A.(MD).No.1122 of 2022
and
C.M.P.(MD)Nos.8892 and 8893 of 2022**

N.Roset Sharron Anjelin

... Appellant

-vs-

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George,
Chennai.

2.The Director of School Education,
College Road,
D.P.I. Campus,
Chennai – 600 006.

3.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

4.The District Educational Officer,
Tirunelveli.

5.The Correspondent,
St. Peter's Higher Secondary School,
Ukkirankottai,
Tirunelveli District.

... Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.19469 of 2013, dated 01.08.2019.

For Appellant : Mr.T.Ponramkumar
For Respondents 1 to 4: Mr.S.P.Maharajan
Special Government Pleader

JUDGMENT

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

Though appointment of the appellant was approved initially, the said approval was sought to be recalled, by order dated 07.11.2013. Therefore, the petitioner approached this Court, challenging the order cancelling approval as well as the consequential proceedings dated 14.11.2013. Cancellation of approval was mainly on the ground that the appellant has not acquired Teacher Eligibility Test qualification. The Writ Court upheld the contention of the respondents and concluded that unless the person qualifies in Teacher Eligibility Test, he or she cannot be appointed as Teacher. Aggrieved the petitioner is before us by way of Appeal.

2.We have heard Mr.T.Ponramkumar, learned counsel appearing for the appellant and Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1 to 4.



W.A.(MD).No.1122 of 2022

3. Several Division Benches of this Court have consistently held that qualification in Teacher Eligibility Test is not required for appointment in Minority Institutions. Therefore, the order of the Writ Court cannot be sustained. Hence, the Writ Appeal is allowed and the order cancelling the appointment is set aside. The salaries and other benefits due to the appellant shall be paid within a period of 12 weeks from the date of receipt of copy of this order. If the amount is not paid within 12 weeks, the authorities will pay 12% interest from the date of which the salaries became due till the date of payment. No Costs. Consequently, connected miscellaneous petitions are 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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