

W.P(MD)No.10748 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.10748 of 2018 and
WMP(MD) Nos.16341 of 2018, 9839 & 9840 of 2018

P.Ganesan

... Petitioner

Vs

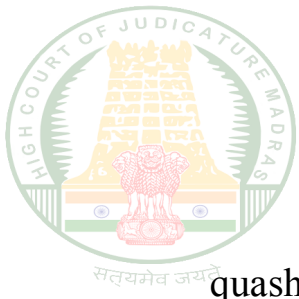
1.The District Elementary Educational Officer,
Tuticorin District.

2.The Additional Assistant Elementary Educational Officer,
Kovilpatti, Tuticorin District.

3.The Secretary,
Gomathi Hindu Elementary School,
Mandhithoppu, Kovilpatti,
Tuticorin District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in his proceedings in Na.Ka.No.1919/A3/2014 dated 16/04/2018 and the consequential order passed by the 2nd respondent in his proceedings in Na.Ka.No.810 / A4 / 2018 dated 25/04/2018 and



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quash the same and direct the respondents to approve the appointment of the petitioner as secondary grade teacher in the 3rd respondent School from the date of appointment ie., 21/04/2012 with all the consequential benefits.

For Petitioner : Mr.V.Panneer Selvam
For Respondents : Mr.P.T.Thiraviam
Government Advocate

ORDER

The petitioner was appointed as a Secondary Grade Teacher on 21.04.2012, in Gomathi Hindu Elementary School, Mandhithoppu, Kovilpatti, Tuticorin District, which is an aided non-minority Institution. The School Management has sent a proposal for approval of the petitioner's appointment. However, it was rejected on the ground that the petitioner is not having the required qualification of Teachers Eligibility Test. On filing of the writ petition in WP(MD) No.7025 of 2013 by the School Management, temporary approval has been granted to this petitioner and salary has also been paid to him for a period from 21.04.2012 to 31.03.2015, Thereafter, the petitioner was directed to be relieved from his service, by order dated 25.04.2018 that this petitioner



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has not acquired the required qualification of teachers eligibility test and the same is challenged in this writ petition.

2.This Court, while entertaining this writ petition has granted an order of interim stay, thereby, he has continued to work as a teacher in the third respondent School. At this juncture, the respondent Department has passed an order, stopping the salary to the petitioner by its proceedings in Na.Ka.No.1919/A2/2019, dated 16.09.2019 and Na.Ka.No.1254/A4/2019, dated 25.10.2019 and the same was challenged by this petitioner in another writ petition in WP(MD) No. 846 of 2020. The subsequent writ petition filed by this petitioner in WP(MD) No.846 of 2020 was dismissed by this Court, along with a batch of writ petitions on 06.01.2013 that this petitioner is not entitled to continue as a teacher without the required qualification of "Teachers Eligibility Test".

3.Since the issue has already been decided in a batch of writ petitions in WP(MD) No.846 of 2020 etc., dated 06.01.2023, this



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writ petition is closed as no further order is required to be passed. No costs. Consequently, connected Miscellaneous Petitions are closed.

12.12.2024

NCC:Yes/No

Index:Yes

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To

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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.10748 of 2018 and
WMP(MD) Nos.16341 of 2018, 9839 & 9840 of 2018

12.12.2024