



W.P.(MD).No.20016 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20016 of 2024

T.Iruthaya Amali.

... Petitioner

VS

1.The Director of Elementary Education,
DPI Campus,
Chennai – 6.

2.The District Educational Officer,
Kovilpatti,
Thoothukudi.

3.The Block Educational Officer-I,
Kovilpatti,
Thoothukudi.

4.The Correspondent,
Punitha Inigo Primary School,
Venkatachalapuram,
Thoothukudi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondent No.2 to grant approval to the appointment of the petitioner in the post of Secondary Grade Teacher with effect from 09.06.2017 at the 4th respondent school with all consequential monetary benefits.

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For Petitioner : Mr.T.Aswin Raja Simman
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 to R3

ORDER

The instant appeal has been filed by a Secondary Grade Teacher seeking mandamus as against the second respondent herein to grant approval to the appointment of the petitioner as Secondary Grade Teacher with effect from 09.06.2017 in the fourth respondent/School.

2. The petitioner herein was appointed as Secondary Grade Teacher in the fourth respondent/School on 09.06.2017. A proposal sent by the fourth respondent/School Management is still pending with the second respondent herein and he has yet to take a call.

3. The learned counsel appearing for the Writ Petitioner submits that another Teacher was appointed within the same corporate management on 02.01.2024 and approval has been granted by the second respondent on 04.07.2024 and therefore, there cannot be any impediment for the second



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respondent to consider the proposal of the fourth respondent/School management for approval of the appointment of the Writ Petitioner.

4. It is made clear that in view of the judgment of the Hon'ble Division of this Court in the case of ***The District Educational Officer, Sankarankoil and another vs. E.Elsi Jemima and another (W.A.(MD)No. 354 of 2020, decided on 22.06.2023)***, as on date, TET is not mandatory for appointment of teacher in minority institutions.

5. In view of the abovesaid facts, the second respondent is directed to consider the proposal submitted by the fourth respondent/School Management for approval of the appointment of the Writ Petitioner and pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of, with above direction. No costs.

24.09.2024

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

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R.VIJAYAKUMAR,J.

apd

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