



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20244 of 2024

and

W.M.P.(MD)Nos.17174 & 17176 of 2024

D.Metilda Pon Rajathi,
B.T.Assistant(Social Science),
O.C.P.M. Girls Higher Secondary School,
Tallakulam P.O.,
Madurai District.

... Petitioner

Vs

1.The Chief Educational Officer,
Madurai.

2.The District Educational Officer (Secondary Education),
Madurai.

3.The O.C.P.M. Girls Higher Secondary School,
Represented by its Correspondent,
Tallakulam P.O.,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the order passed by the respondent in his proceedings in Oo.Mu.No.5450/A6/2024 dated 16.07.2024 and quash the same as illegal and consequently to direct the 2nd respondent to approve the appointment of petitioner in the post of Assistant in the third respondent school w.e.f 20.12.2023 with attendant, service and monetary benefits.



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For Petitioner : M/s.P.Mohammed Suhail
for M/s.Ajmal Associates

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 & R2

ORDER

The instant writ petition has been filed by a BT Assistant(Social Science) Teacher appointed to the minority institution, challenging the order passed by the first respondent herein, wherein the proposal of the management to approve her appointment has been rejected on the ground that the petitioner has not passed Tamil Nadu Teacher Eligibility Test.

2.According to the learned Counsel appearing for the writ petitioner, the institution being a minority institution, passing of Tamil Nadu Teacher Eligibility Test is not mandatory as per the Division Bench order of our High Court.

3.The learned Special Government Pleader appearing for the respondent has brought to the notice of the Court, that the second respondent has sent a fresh proposal to the first respondent on 30.08.2024 to consider the proposal of the management to approve the appointment of the writ petitioner indicating the



fact that the institution being a minority institution, a pass in Tamil Nadu Teacher Eligibility Test is not mandatory.

4. In view of the above said facts, the order impugned in the writ petition is hereby set aside and the first respondent is directed to have a fresh look into the matter based upon the forwarding letter of the second respondent dated 30.08.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are also closed.

05.09.2024

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

To

1. The Chief Educational Officer,
Madurai.

2. The District Educational Officer (Secondary Education),
Madurai.

R.VIJAYAKUMAR, J.



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RJR

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