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**W.A.(MD).Nos.292, 645, 726, 740, 870, 1064
and 1065 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).Nos.292, 645, 726, 740, 870, 1064 and 1065 of 2022
and
C.M.P.(MD)Nos.2802, 5433, 6113, 6212, 7182, 8538 and 8542 of 2022**

W.A.(MD)No.292 of 2022 :-

- 1.The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.
- 2.The District Educational Officer,
Aruppukottai,
Virudhunagar District.

... Appellants

-VS-

- 1.D.Mary Samathanam
- 2.The Correspondent,
CSI Girls Higher Secondary School,
Aruppukottai,
Virudhunagar District.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.5894 of 2021, dated 25.03.2021.



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and 1065 of 2022**

For Appellants : Mr.S.P.Maharajan
Special Government Pleader
For 1st Respondent : Mr.T.Ponramkumar
For 2nd Respondent : Mr.T.Antony Arul Raj

COMMON JUDGMENT

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

The subject matter of Appeals is one directing grant of annual increments to the 1st respondent. Annual increments were rejected on the ground that the 1st respondent has not qualified in the Teacher Eligibility Test.

2.This Court has consistently held that the qualification in Teacher Eligibility Test cannot be insisted upon in respect of Minority Institutions. The Writ Court has also noted the fact that the issue is no longer *res integra* in as much as, this Court had in several cases, directed payment of annual increment. No doubt, a reference on this issue is pending before the Hon'ble Supreme Court but that cannot be a ground to deny increment to the Teachers.



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3.Hence, the Writ Appeals are dismissed. 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

To

- 1.The Chief Educational Officer,
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Virudhunagar District.
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Aruppukottai,
Virudhunagar District.



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