



W.A(MD)No.1504 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM:

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

**W.A(MD)No.1504 of 2024
and
C.M.P(MD)No.11695 of 2024**

- 1.The Chief Educational Officer,
Pudukottai District.
- 2.The District Educational Officer,
Pudukottai, Pudukottai District.

... Appellants/Respondents 1 & 2

-vs-

- 1.R.Manikandan ... 1st Respondent/Writ Petitioner
- 2.The Secretary,
Sri Saraswathi Higher Secondary School,
Konapet, Pudukottai District. ... 2nd Respondent/3rd respondent

PRAYER: Appeal filed under Clause 15 of Letters Patent, to set aside the order passed in W.P(MD)No.11414 of 2021 dated 28.07.2022.

For Appellants : Mr.S.P.Maharajan,
Special Government Pleader
For R-1 : Mr.V.Panneerselvam



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JUDGMENT

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

Being aggrieved by the order of the Writ Court, dated 28.07.2022 made in W.P(MD)No.11414 of 2021, the State is on appeal.

2. The issue involved in this writ appeal is covered by the decision of this Court in ***T.Chitra Devi vs. Director of School Education [W.A.No.392 of 2024, dated 07.02.2024]***. The Division Bench had clearly held that any person appointed as a Graduate Teacher or a B.T.Assitant prior to 29.07.2011 can continue in service and receive increments and incentives even if he or she does not possess or acquire TET qualification. It is not in dispute that the first respondent in this writ appeal was appointed prior to 29.07.2011. Hence, the judgment in ***T.Chitra Devi's case*** is squarely apply to the present case.

3. In view of the same, this writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

[R.S.M., J.]

[L.V.G., J.]

03.09.2024

NCC :Yes/No
Index :Yes/No
Internet:Yes
PM



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pm

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