



W.P.No.2521 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2521 of 2024
and W.M.P.No.2763 of 2024**

Sr.J.Karunya Lejoe

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Secretary,
The Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
DPI Campus,
College Road,
Chennai-600 006.
- 3.The Chief Educational officer,
The Office of the Chief Educational Officer,
District Collector Office, Block No.2,
Sathuvachari,
Vellore-632 009.
- 4.The District Educational Officer,
Office of the District Educational Officer,
District Collector Office, Block No.2,



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Sathuvachari,
Vellore-632 009.

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5.The Correspondent,
St.Joseph's High School,
A.Kattupadi,
Vellore-632 011,
Vellore District.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 18.01.2024 in Na.Ka.No.2756/A4/2023 on the file of the fourth respondent and quash the same, directing the respondents 1 to 4, to accord approval to the appointment of the petitioner, Sr.J.Karunya Lejoe, working as B.T.Assistant (Science) in the fifth respondent School with effect from 30.11.2018, with all service and monetary benefits.

For Petitioner	:	Mr.Father Xavier Arulraj Senior Counsel for M/s.Father Xavier Associates
For Respondents	:	Mrs.S.Mythreye Chandru Special Government Pleader for R1 to R4



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ORDER

Aggrieved by the order dated 18.01.2024 passed by the fourth respondent negating the prayer laid by the petitioner for regularization of service as B.T.Assistant, the present writ petition has been filed.

2. The petitioner was initially appointed as B.T.Assistant [Science] in the fifth respondent School, on 01.11.2018 and thereafter on 30.11.2018. The petitioner was appointed on account of vacancy created into transfer of another teacher. The fifth respondent School recommended the candidature of the petitioner for appointment in the School to the fourth respondent on 29.11.2018 and thereafter, there were series of correspondence between the respondents 3 and 4 on the one hand and the petitioner on the other hand.

3. Ultimately, the fourth respondent passed the impugned order dated 18.01.2024 for the reasons that the fifth respondent School has mentioned two different dates and further, she has not completed TET Exam. Challenging the said order, the present writ petition has been filed.



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4. The fourth respondent has filed a detailed counter affidavit, wherein, it is mentioned that there were surplus B.T.Assistant (Science) Teacher available throughout the State and any one of them could have been appointed in the vacancy created on account of transfer of another teacher. Moreover, on the initial date of appointment of the petitioner (i.e.,) 01.11.2018, the petitioner was in possession of B.Ed Degree and she acquired the said degree only on 29.11.2018. The fourth respondent has also taken an averment that the petitioner has not secured TET examination which is mandatory for appointment as B.T.Assistant and for the aforesaid reasons, the fourth respondent prayed for dismissal of the writ petition.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4.

6. The learned Special Government Pleader appearing for the respondents 1 to 4 brought to the notice of this Court a letter sent by the Principal Secretary to Government to the learned State Government Pleader



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dated 16.04.2025, wherein, the Principal Secretary has narrated the background history of the proceedings that are pending before this Court and before the Hon'ble Supreme Court of India. In the concluding paragraph, the Principal Secretary has requested the Government Pleader to submit before the Court that *“only if the proposal for approval of appointment with respect to the individual/TET not passed teacher of aided minority school was pending consideration before the authorities concerned prior to 13.01.2023, the said proposal will be considered subject to the final orders to be passed in the above matter by the Hon'ble Supreme Court”*.

7. In view of the said letter and the fact that the Hon'ble Supreme Court of India seized of the matter, this Writ Petition is disposed of with a direction to the fourth respondent to approve the appointment order of the petitioner with effect from 06.10.2023 when the second proposal was made by the fifth respondent School to the fourth respondent. It is made clear that the appointment would be subject to the petitioner securing TET Examination within a period of two years from the date of issuance of appointment order and the appointment of the petitioner would also be



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subject to the result of the orders to be passed by the Hon'ble Supreme Court of India in the matter of requirement of passing of TET Examination by B.T.Assistant. There shall be no order as to costs. Connected miscellaneous petition is closed.

03.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To

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M.DHANDAPANI, J.

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