



W.P.No.8869 of 2022

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 14.03.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P.No.8869 of 2025 and  
W.M.P.Nos.9964 & 9966 of 2025**

Islamiya Girls Higher Secondary School,  
Jamath Road, Noorullahpet,  
Vaniyambadi - 635 751,  
Tirupattur District.

Represented by its Correspondent,  
P.Abdullah Bash  
S/o.Rahmattullah

... Petitioner

-VS-

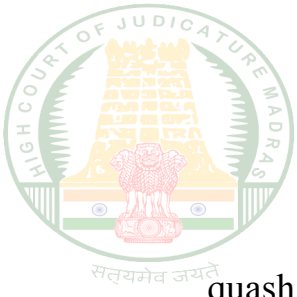
1. The Director of School Education,  
DPI Campus, College Road,  
Chennai - 600 006.

2. The Chief Educational Officer,  
Tirupattur District, Tirupattur.

3. The District Educational Officer (Secondary),  
Tirupattur District, Tirupattur.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating the impugned proceedings issued by the second respondent in A.Thi.Mu.No.0170/A2/2025 dated 20.01.2025 and to



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quash the same and consequently directing the respondents 2 and 3 to pass orders for granting approval of appointment of Mrs.C.Sadia Ather in the sanctioned post of Urdu Munshi in the petitioner School from the date of appointment with effect from 10.06.2024 with all consequential and other attendant benefits, including payment of arrears of salary from the date of appointment, based on the proposal resubmitted by the petitioner School dated 15.10.2024.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mrs.S.Mythreaye Chandru  
Special Government Pleader

### **ORDER**

This writ petition has been filed in the nature of certiorarified mandamus seeking records relating to the proceedings of the second respondent dated 20.01.2025 and quash the same and to consequently direct the respondents 2 and 3 to pass orders granting approval of appointment of Mrs.C.Sadia Ather in the sanctioned post of Urdu Munshi in the petitioner's School from the date of appointment dated 10.06.2024 and also grant service and monetary benefits to her.

2. The petitioner's School / Islamiya Girls Higher Secondary School at Vaniyampadi is a Religious Minority School. It is contended



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that the post of Urudu Munshi had fallen vacant and the petitioner's School had appointed Mrs.C.Sadia Ather on the said post on 10.06.2024. Thereafter they had forwarded the said proposal of appointment for approval before the respondents. By the impugned order, the second respondent had rejected the same. The writ petition has been filed questioning such rejection.

3. The issue is no longer *res integra*. In a Division Bench judgment of this Court reported in **2016 SCC Online Mad 26972 (A.Firdose Begum Vs. The Secretary to Government, School Education Department of Tamil Nadu, Chennai and others)**, it had been very categorically stated that a minority school would have the right to fill a sanctioned post. This observation by the Division Bench was issued with specific reference to G.O.(Ms)No.144, School Education Department dated 04.07.2008. That observation by the Division Bench is binding on this Court. The only ground on which the second respondent had rejected the proposal for approval is that the Teacher Mrs.C.Sadia Ather had not qualified herself in the Tamil Nadu Eligibility Test Examination. But yet



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another Division Bench of this Court in *W.A.No.19 of 2023 etc., batch,*  
*by an order dated 14.06.2023,* issued a clarification that TET is not a  
necessary mandate for Teachers appointed in minority schools.

4. It is thus seen that the reasons stated would not stand judicial scrutiny. The impugned order is set aside. A direction is given to the respondents to grant approval of the appointment of Mrs.C.Sadia Ather as Urudu Munshi in the petitioner's School within a period of three weeks from the date of receipt of a copy of this order. The said Teacher Mrs.C.Sadia Ather is entitled for all service and monetary benefits with effect from 10.06.2024.

5. This Writ Petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**14.03.2025**

Index: Yes/No  
Internet: Yes/No  
Speaking Order: Yes/No  
vji



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**C.V.KARTHIKEYAN, J.**

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