



W.P.No.11249 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2025

Coram

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

W.P.No.11249 of 2025 &
WMP.No.12691 of 2025

S.Anitha

... Petitioner

-Versus-

1.The Director of Elementary Education,
DPI campus, College Road,
Chennai – 600 006.

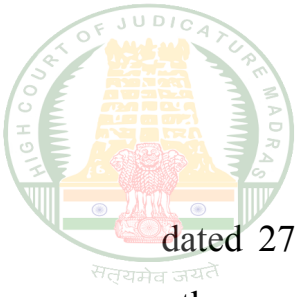
2.The District Educational Officer (Elementary),
Kallakurichi District,
Kallakurichi.

3.The Block Educational Officer,
Chinnasalem,
Kallakurichi.

4.The Correspondent,
Danish Mission Middle School,
Chinnasalem,
Kallakurichi – 606 201

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus calling for the records relating the impugned proceeding issued by the 2nd respondent District Educational Officer (Elementary) Kallakurichi in proceeding O.Mu. No.4680/ A2/ 2024



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dated 27.01.2025 and to quash the same for insisting TET qualification and other queries is concerned and consequently directing the respondents 2 and 3 to pass orders for granting approval of promotion of the petitioner in the sanctioned post of Middle School Headmistress in the 4th respondent school from the date of appointment with effect from 01.08.2023 with all consequential and other attendant benefits, including payment of arrears of salary from the date of appointment

For Petitioner : Mr.S.Sarath Chandran

*For Respondent : Mrs.S.Mythreye Chandru,
Special Government Pleader*

ORDER

The writ petition has been filed in the nature of certiorarified mandamus calling for the records relating to the proceedings issued by the second respondent/ District Educational Officer, Kallakurichi dated 27.01.2025 and quash the same.

2. By the said proceedings, the second respondent had sought that the petitioner should posses TET qualification. Further queries had also been asked by the second respondent in the said proceedings. The said proceedings had been passed on the communication issued by the fourth respondent seeking approval for promotion of the petitioner to the post of Middle School Headmistress in the fourth respondent school from the date of her



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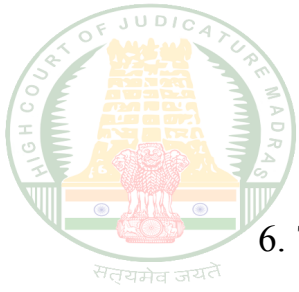
appointment/01.08.2023.

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3. In the affidavit filed in support of this writ petition, it had been contended that the petitioner had been promoted to the post of Middle School Head Mistress in the fourth respondent school on and from 01.08.2023. It had been contended that it is a sanctioned post.

4. But however in the impugned order, such promotion had been questioned on the ground that the proper authority to grant such promotion had not issued the order of promotion and that the petitioner should clarify the same. It had also been stated in the impugned order that the petitioner should possess Teacher Eligibility Test qualification.

5. However, that issue cannot be raised by the second respondent since it has now been consistently held by the Courts that for appointment to the teacher post in the minority institution, the respondent school cannot insist on Teacher Eligibility Test qualification. This clarification may also be issued by the fourth respondent also.



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6. The impugned order is set aside and the matter is remitted back to the second respondent/District Educational Officer (Elementary) who may issue a fresh order regarding approval for promotion of the petitioner to the post of Middle School Headmistress in the fourth respondent school. If any clarifications are required, they may be stated in the fresh proceeding and the fourth respondent may endeavour to clarify the same. The approval can be granted provided the clarifications are cleared or satisfied. If it is granted it would be with effect from 01.08.2023 together with service and monetary benefits.

7. The Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

01.04.2025

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Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No



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C.V.KARTHIKEYAN, J.

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