



W.A.No.1241 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.No.1241 of 2022

and C.M.P.Nos.7102 and 7105 of 2025

and C.M.P.Nos.7845, 7849 and 7852 of 2022

G.Prasanth B.A. (Sanskrit), B.Ed.
Sanskrit Pandit
Sri Dhandapani Oriental Higher Secondary School
Kanchipuram 631 502

... Appellant

Vs.

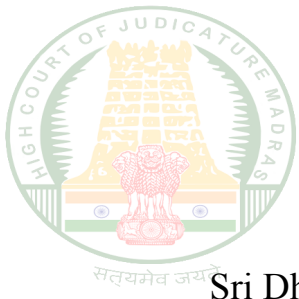
1. The Director of School Education
College Road
Chennai-6

2. The Chief Educational Officer
Kanchipuram
Kanchipuram District

3. The District Educational Officer
Kanchipuram
Kanchipuram District

4. The Correspondent

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Sri Dhandapani Oriental Higher Secondary School
Kanchipuram -631 502

5.The State of Tamil Nadu
Rep. by its Secretary to Government
Education Department
Secretariat
Chennai -9

6. The Chairman
Teacher's Recruitment Board
D.P.I. Compound,
Chennai - 6

(Respondents 5 and 6 are impleaded
vide order dated 27.11.2023 made in
CMP. No.26863/2023 by RMDJ & MSQJ

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letter Patents, praying to set aside the order passed in W.P.No.26172 of 2021 dated 19.04.2022 and thereby allow the Writ Petition as prayed for.

For Appellant : Mr.S.N.Ravichandran

For Respondents : Mr.R.Neethi Perumal
Government Advocate - R1 to R4

Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.C.Kathiravan
Standing Counsel - R6

JUDGMENT



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and
R.SAKTHIVEL, J.

When the sanctioned post of Sanskrit Pandit in the 4th respondent school fell vacant, the school had obtained the necessary permission from the School Educational Authorities for filling up the said post. The petitioner herein was accordingly appointed as a Sanskrit Pandit therein. The petitioner claims to have joined on 03.06.2019 in the forenoon. Simultaneously, the school had sought for approval of his appointment before the authorities through their proposal dated 26.06.2019. However, the said proposal was rejected by the 2nd respondent herein on 30.12.2020, predominantly on two grounds. Firstly, that the petitioner should produce particulars with regard to his qualification in Tamil Nadu Teacher Eligibility Test (TET) and secondly, as to whether the Siksha Sastri (B.Ed) obtained from Rashtriya Sanskrit Vidyapeetha was equivalent to the B.T. degree of the University of Madras, Chennai.

2.Insofar as the second query raised by the department is concerned, the learned counsel for the petitioner had produced a copy of



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the equivalence certificate issued by the Government of Tamil Nadu, Education Department dated 02.01.1973, which evidences that the degree of Siksha Sastri (B.Ed.) obtained by the petitioner from Rashtriya Sanskrit Vidyapeetha is equivalent to the B.T. degree of the University of Madras, Chennai. Thus, the second query of the department stands answered accordingly.

3.Insofar as the first query is concerned, under the provisions of the Right of Children to Free and Compulsory Education Act, 2009, the teachers in a private school are mandatorily required to qualify in TET within a period of five (5) years from the date of commencement of the Act. However, in the instant case, the Educational Department of the Government of Tamil Nadu has not conducted the TET in Sanskrit language from the date of commencement of the Act till date. The learned Additional Advocate General submitted that the Department has already taken steps to obtain the syllabus from the NCERT, for the purpose of conducting TET in Sanskrit and the same is under consideration. According to him, the TET will be conducted by them as soon as the necessary syllabus is obtained by them from NCERT.



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4. When admittedly, the department itself has not conducted TET for Sanskrit language all these years, requiring the petitioner to produce qualification of having passed in TET is a futile requirement to be met. At this juncture, the learned counsel for the petitioner would submit that as and when the TET is conducted, he is willing to participate in the same and qualify himself therein.

5. Thus, the only ground on which the proposal seeking for approval of the appointment of the petitioner is pending before the Educational Authorities is for want of a TET qualification. Since, the TET has not been conducted for the past 15 years, and the petitioner was appointed wayback on 03.06.2019, we are of the view, that he cannot be kept to wait indefinitely for approval of his appointment. Not to mention that serious prejudice would be caused to the teacher for want of salaries. In our view, if the department is directed to grant in principle approval and disburse the necessary grant to the concerned school, with a rider to the teacher to qualify in the TET, as and when the same is conducted by the department, the ends of justice could be secured.



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6.The learned Single Judge, before whom the rejection order dated 30.12.2020 was challenged in W.P.No.26172 of 2021, had placed reliance on a decision of this Court, wherein, the qualification in TET has been held to be mandatory, and therefore, had rejected the Writ Petition. However, the fact that TET in Sanskrit has not been conducted at all by the department, was not brought to the notice of the learned Single Judge. In the light of our aforesaid observations, we deem it appropriate to interfere with the order passed in the Writ Petition also.

7.Accordingly, the order passed by the Chief Educational Officer, Kanchipuram, Kanchipuram District, in ஓ.மு.எண்.8073/ஆ5/2019 dated 30.12.2020, as well as the order passed in W.P.No.26172 of 2021 dated 19.04.2022 are quashed. Consequently, there shall be a direction to the respondents 1 to 3 herein to forthwith pass orders of approval of the 4th respondent school of the appointment of the petitioner herein, within a period of six (6) weeks from the date of receipt of a copy of this order. While passing such orders of approval, the respondents 1 to 3 are at liberty to impose the condition to the petitioner to qualify himself in the



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ensuing TET within a period of five (5) years from the date on which the first TET in Sanskrit is conducted. However, such time limit of five (5) years shall be subject to the further condition that TET in Sanskrit is conducted every year during the course of the five years period.

8.The Writ Appeal stands allowed accordingly. No costs.
Consequently, the connected miscellaneous petitions are closed.

[M.S.R, J.]

[R.S.V, J.]

09.10.2025

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Index: Yes / No

Neutral Citation

Speaking / Non Speaking

M.S.RAMESH, J.

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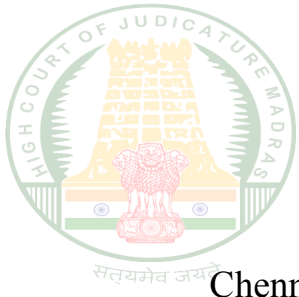
R.SAKTHIVEL, J.

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To.

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