



W.A.No.294 of 2023

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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.294 of 2023
and C.M.P.No.2994 of 2023

Sr.P.Margret
St.Theresa's Girls Higher Secondary School
Tharangambadi - 609 313
Nagapattinam District

... Appellant

Vs.

1.The Government Of Tamil Nadu
Rep by Additional Chief Secretary
The Department of School Education (C2)
Fort St. George, Chennai-09

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

3.The Chief Educational Officer
Office of the Chief Educational Officer
Krishna Towers
Public Office Road
Nagapattinam- 611 001



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4.The District Educational Officer
District Education Office
Nagapattinam- 611 001

5.The Correspondent
St.Theresa's Girls Higher Secondary School
Tharangambadi- 609 313
Nagapattinam District

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letter Patents, praying to set aside the order of this Court dated 27.09.2022 and made in the W.P.No.5440 of 2017, by allowing the Writ Appeal.

For Appellant	: Dr.Father Xavier Arul Raj Senior Advocate for M/s.A.Arul Mary
For Respondents	: Mr.K.H.Ravikumar Government Advocate - R1 to R4

JUDGMENT

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

The grievance of the appellant's school, which is a minority institution, has already been redressed, since the appointment of the teacher viz. Sr.P.Margret, for the post of B.T. Assistant (Science), has



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already been approved vide proceedings of the District Educational Officer, in Na.Ka.No.889/A2/2017, dated 24.03.2017, and the necessary grant has also been disbursed to the school with a condition that the concerned teacher shall qualify herself in TET. Incidentally, the Hon'ble Supreme Court in the case of *Anjuman Ishatt-e-Taleem Trust v. State of Maharashtra and others [2025 SCC Online SC 1912]* had held that till a final decision is taken by the larger bench in this matter, the provisions of the RTE Act, insofar as it relates to qualification in TET for the teachers in the minority institutions have been excluded.

2.In light of the foregoing reasons, the G.O.(Ms.) No.181, School Education (C2) Department, dated 15.11.2011, on the file of the 1st respondent viz. The Additional Chief Secretary to Government, and the consequential proceedings dated 16.11.2016 in A.Thi.Mu.No.31421/A2 /16 on the file of the 4th respondent viz. The District Educational Officer, which is impugned in the Writ Petition, as well as the order passed in W.P.No.5440 of 2017 dated 27.09.2022 are set aside.



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3.The Writ Appeal stands allowed accordingly. No costs.

Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes / No

Neutral Citation

Speaking / Non Speaking

To.

1.The Additional Chief Secretary
The Government Of Tamil Nadu
The Department of School Education (C2)
Fort St. George, Chennai-09

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