



WEB COPY



W.P.No.49354 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.49354 of 2025

Jeyaradha

... Petitioner

Vs

1.The State of Tamilnadu rep.by
Its Secretary to Government,
School Education Department,
Fort St.George, Chennai-9.

2.The District Collector,
Niligiri District.

3.The Chief Education Officer,
Nilgris, Ooty.

4.The District Educational Officer,
Gudalur, Nilggris.

5.The Correspondent,
Fathima Girls Hr.Sec.School,
Gudalur, The Nilgris.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus call for the records of the 1st respondent proceeding NO.Na.Ka.Q3/19/2025 dated 6.3.2025 quash the same, consequently direct the respondents to grant annual increments, selection grade due to me from 2012 and continue to pay the same.



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For Petitioner : Mr.S.N.Subramani

For Respondents : Ms.Mythreye Chandru,
Special Government Pleader for RR-1 to 5

ORDER

Challenging the order passed by the 1st respondent thereby rejecting the claim of the petitioner for grant of incentives, annual increments etc, the present Writ Petition has been filed.

2. The petitioner was appointed as B.T.Assistant (Maths) in the 5th respondent School in the year 2010. Subsequent to her appointment, possession of Teacher Eligibility Test certificate was made mandatory. Though the petitioner had qualified Teacher Eligibility Test (for short TET), her request for grant of annual increments, incentives and such other benefits has been rejected by the present impugned order dated 06.03.2025 on the ground that she had not qualified the TET within the prescribed period of five years. Aggrieved by which, the present Writ Petition has been filed.

3. Learned counsel appearing for the petitioner submitted that, despite the petitioner having qualified the Teacher Eligibility Test, denial of annual increments, incentives and such other benefits is wholly arbitrary and illegal. In this regard, learned counsel placed his reliance upon the decision of the Hon'ble



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Division of this Court in W.A.No.313 of 2022 and batch wherein, it was held that teachers appointed prior to 29.07.2011 need not possess Teacher Eligibility test except for the purpose of promotion. Accordingly he prayed for allowing the Writ Petition.

4. Learned Special Government Pleader appearing for the respondents submitted that, though the impugned order has been passed by the District Collector, Nilgiris District, the 3rd respondent is the competent authority for granting increment and such other benefits. He further submitted that, this Court may set aside the impugned order and remand the matter to the 3rd respondent for fresh consideration.

5. Having regard to the submissions advanced by the learned counsel appearing either side as also the decision of the Division Bench of this Court in W.A.No.313 of 2022 and batch, this Court is of the view that the respondents cannot withhold the service benefits of the petitioner on the ground that she did not possess the TET certificate within the prescribed period. Hence, the order impugned in this Writ Petition is liable to be interfered with.



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6. Accordingly, the Writ Petition is allowed and the impugned order dated 06.03.2025 is hereby set aside. The matter is remanded to the 3rd respondent for fresh consideration. The 3rd respondent is directed to disburse the applicable increments to the petitioner within period of four (4) weeks from the date of receipt of a copy of this order, if the petitioner is otherwise eligible. There shall be no order as to costs.

19.12.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs

To

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