



W.P.(MD).No.619 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.619 of 2025

O.M.S.Hasan Magdhoom Aalim Sahib
Correspondent,
Masood Thaika Higher Secondary School,
Kadyanallur,
Tenkasi District.

...Petitioner

-Vs-

1.The Chief Educational Officer,
Tenkasi.

2. The District Educational Officer,
Tenkasi.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to pass orders on the proposal sent by the petitioner school dated 09.11.2022 appointing Mrs.Kamarunisha as B.T.Assistant Science in the sanctioned vacancy arose on the retirement of one Mr.Balachandar dated 30.06.2022 following the norms prescribed in W.P.(MD).No.10824 of 2021 for all purpose.



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For petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

The instant writ petition has been filed by the Correspondent of the aided minority institution seeking a mandamus as against the Respondent Nos.1 and 2 to pass orders of the proposal sent by the petitioners school on 10.10.2022.

2. It could be seen from the records that the petitioner management has appointed one Mrs.Kamarunisha as B.T. Assistant (Science) Teacher in the sanctioned vacancy on 10.10.2022, which arose on the retirement of one Mr.Balachandar. The management has sent a proposal to the respondents on 09.11.2022 for approval. So far the authorities have not passed any orders either rejecting or accepting the said proposal. Hence, the present writ petition has been filed.



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3. It is brought to the notice of this Court that the Hon'ble Division Bench of our High Court in paragraph No. 74(c) of the judgment reported in **2023 (3) LW 112 (The Director of School Education, D.P.I. Campus, College Road, Chennai -06 and two others Vs. Velayutham and another)** has categorically held that pass in TET examination is not mandatory for being appointed as teacher in a Minority Institution.

4. Considering the above said facts, the first respondent is directed to consider the proposal forwarded by the management on 09.11.2022, and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition is disposed of. No costs.

08.01.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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R.VIJAYAKUMAR,J.
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To

- 1.The Chief Educational Officer,
Tenkasi.
2. The District Educational Officer,
Tenkasi.

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