



W.P.(MD)Nos.1638 to 1641 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)Nos.1638 to 1641 of 2025
and WMP(MD)Nos.1163, 1167, 1181,1182,
1171,1173,1187 and 1189 of 2025

In WP(MD)No.1638 of 2025:

The Correspondent,
Loyola Convent Primary School,
Palayamkottai – 627 002
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600009.

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

3. The District Educational Officer(Elementary),
Tirunelveli,
Tirunelveli District.

4. The Block Educational Officer,
Palayamkottai,
Tirunelveli District.

... Respondents



W.P.(MD)Nos.1638 to 1641 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 3rd respondent District Educational Officer (Elementary) in Na.Ka.No.4408/A5/2024 dated 25.10.2024 quash the same and further direct the 3rd and 4th respondents to release forthwith annual increment admissible to R.Annie Pushpam in the post of Secondary Grade Teacher w.e.f 02.09.2010 with all attendant benefits including the arrears of salary thereon.

In WP(MD)No.1639 of 2025:

The Correspondent,
Loyola Convent Primary School,
Palayamkottai – 627 002
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600009.

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

3. The District Educational Officer(Elementary),
Tirunelveli,
Tirunelveli District.

4. The Block Educational Officer,
Palayamkottai,
Tirunelveli District.

... Respondents



W.P.(MD)Nos.1638 to 1641 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 3rd respondent District Educational Officer (Elementary) in Na.Ka.No.4411/A5/2024 dated 09.11.2024 quash the same and further direct the 3rd and 4th respondents to release forthwith annual increment admissible to F.Esther Mary in the post of Secondary Grade Teacher w.e.f 18.01.2011 with all attendant benefits including the arrears of salary thereon.

In WP(MD)No.1640 of 2025:

The Correspondent,
Loyola Convent Primary School,
Palayamkottai – 627 002
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600009.

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

3. The District Educational Officer(Elementary),
Tirunelveli,
Tirunelveli District.

4. The Block Educational Officer,
Palayamkottai,
Tirunelveli District.

... Respondents



W.P.(MD)Nos.1638 to 1641 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 3rd respondent District Educational Officer (Elementary) in Na.Ka.No.4409/A5/2024 dated 09.11.2024 quash the same and further direct the 3rd and 4th respondents to release forthwith annual increment admissible to A.Pushpakala in the post of Secondary Grade Teacher w.e.f 03.07.2012 with all attendant benefits including the arrears of salary thereon.

In WP(MD)No.1641 of 2025:

The Correspondent,
Loyola Convent Primary School,
Palayamkottai – 627 002
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,Chennai - 600009.

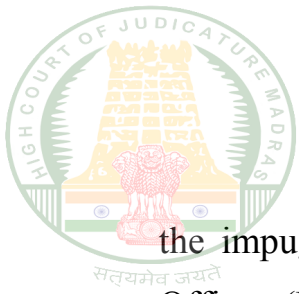
2. The Director of School Education,
College Road,Chennai - 600 006.

3. The District Educational Officer(Elementary),
Tirunelveli,Tirunelveli District.

4. The Block Educational Officer,
Palayamkottai,Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to



W.P.(MD)Nos.1638 to 1641 of 2025

the impugned proceedings issued by the 3rd respondent District Educational Officer (Elementary) in Na.Ka.No.4410/A5/2024 dated 09.11.2024 quash the same and further direct the 3rd and 4th respondents to release forthwith annual increment admissible to Mrs.Esther Deva Kirubai in the post of Secondary Grade Teacher w.e.f 01.11.2012 with all attendant benefits including the arrears of salary thereon.

In all petitions:

For Petitioner : Mr.K.Ragatheesh Kumar

For R1 to R4 : Mr.N.Siddharthan

Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed against the proceedings issued by the third respondent, wherein it is stated that annual increment to the petitioners could not be sanctioned as they did not pass TET. It is also stated that the request of the petitioners would be considered in the event of submitting TET pass certificate.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. The only issue to be considered in these writ petitions is whether TET



W.P.(MD)Nos.1638 to 1641 of 2025

qualification is essential for granting annual increment to the petitioner or not.

WEB COPY

4. This issue is no longer *res integra*. The Hon'ble Division Bench of our High Court in a judgment reported in **2023-3-LW-112 (*The Director of School Education D.P.I. Campus, College Road & others Vs. M.Velayutham & another*)** in Paragraph No.74(c) has categorically held that a pass in TET examination is not mandatory for being appointed in the minority institution. As such the rejection of the petitioners' request for annual increment through the impugned orders are not sustainable and accordingly, liable to be set aside.

5. For the aforesaid reasons, these writ petitions are allowed with the following directions:

- i) the impugned orders are hereby set aside.
- ii) The respondents 3 and 4 are directed to release forthwith the annual increment admissible to the petitioners with all attendant benefits admissible including the arrears of salary.

There shall be no order as to costs.
Consequently, connected miscellaneous petitions are closed.

04.03.2025

NCC:yes/no
Index:yes/no



W.P.(MD)Nos.1638 to 1641 of 2025

Internet:yes/no

CM

WEB COPY

To:

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St.George,
Chennai - 600009.
2. The Director of School Education,
College Road,
Chennai - 600 006.
3. The District Educational Officer(Elementary),
Tirunelveli,
Tirunelveli District.
4. The Block Educational Officer,
Palayamkottai,
Tirunelveli District.



WEB COPY



W.P.(MD)Nos.1638 to 1641 of 2025

BATTU DEVANAND, J.

CM

W.P.(MD)Nos.1638 to 1641 of 2025
and WMP(MD)Nos.1163, 1167, 1181,1182,
1171,1173,1187 and 1189 of 2025

04.03.2025