



W.A.(MD).No.500 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.500 of 2024
and
C.M.P.(MD).No.4033 of 2024

1.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

2.The District Educational Officer,
Tirunelveli,
Tirunelveli District.

... Appellants/Respondents 1 & 2

Vs.

1.A.Angeline Jenifer,
B.T. Assistant,
Mary Sargent Girls' Higher Secondary School,
Palayamkottai,
Tirunelveli District.

... 1st Respondent/Petitioner

2.The Correspondent,
Mary Sargent Girls' Higher Secondary School,
Palayamkottai,
Tirunelveli District.

... 2nd Respondent/3rd Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 01.04.2022 made in W.P.(MD).No.15679 of 2021 and allow the Writ Appeal.



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For Appellants : Mr.J.Ashok
Additional Government Pleader
For R-1 : Mr.T.Pon Ramkumar

JUDGMENT

(Judgment of the Court was made by M.S.RAMESH,J.)

This Writ Appeal has been filed against the order of the learned Single Judge in W.P.(MD).No.15679 of 2021 dated 01.04.2022.

2. Having granted approval of the appointment made by the second respondent school, the proceedings of the appellants herein, refusing to release the annual increment on the ground that the concerned teacher is not qualified in TET, was challenged before the Writ Court. The learned Single Judge had placed reliance on the earlier decisions of this Court and held that qualification in TET is not mandatory for a minority institution and accordingly, directed the appellants to confer all the monetary benefits to the first respondent herein, through the order passed in W.P.(MD)No.15679 of 2021 dated 01.04.2022.

3. The Hon'ble Supreme Court as well as several decisions of the Co-ordinate Benches of this Court have been consistently taking a stand that possession of TET qualification for a teacher in a minority institution is not



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mandatory. The appellants herein, having granted approval of the appointment, are not justified in insisting for TET qualification for the concerned teacher and therefore, the consequential action of withholding the financial grant cannot be justifiable. The earlier decisions taken by this Court in this regard have been relied upon by the learned Single Judge while allowing the Writ Petition. We do not find any illegality or infirmity in the said order. As such, there are no merits in this Writ Appeal.

4. Accordingly, this Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

(M.S.R.,J.) (A.D.M.C.,J.)
30.01.2025

NCC : Yes / No
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