



W.A.(MD) No.1802 of 2025 & etc. batch

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.A.(MD) Nos.1802, 1819, 1838, 1845, 1874, 2054, 2073 & 2085 of 2025
and
C.M.P.(MD) Nos.10198, 10300, 10412, 10451, 10685, 11736, 11851 &
11928 of 2025**

W.A.(MD) No.1802 of 2025:

- 1.The Chief Educational Officer
Office of the Chief Educational Office
Tirunelveli District, Tirunelveli
- 2.The District Elementary
Educational Officer
Office of the District Elementary
Educational Office
Valliyoor, Tirunelveli District
- 3.The Block Educational Officer
Valliyoor Block, Valliyoor
Tirunelveli District

... Appellants

-vs-

- 1.A.Irin Hepsi Kiruba
- 2.The Correspondent
TDTA Middle School
Palayamkottai Town and Taluk
Tirunelveli District

... Respondents



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W.A.(MD) No.1802 of 2025 & etc. batch

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 05.09.2023, passed in W.P.(MD) No.21659 of 2023, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : No appearance for R1
Mr.V.Karthick Raja for R2

W.A.(MD) No.1819 of 2025:

1.The Director of School Education
O/o.The Directorate of School Education
DPI Compound, College Road
Chennai-6

2.The Chief Educational Officer
O/o.The Chief Educational Officer
Madurai, Madurai District

3.The District Educational Officer
(Elementary)
O/o.the District Educational Officer
Melur, Madurai District

... Appellants

-vs-

Jothi Higher Secondary School
Narimedu, Madurai
rep.by its Correspondent R.Arun

... Respondent



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Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 29.10.2024, passed in W.P.(MD) No.26162 of 2024, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Mr.C.R.Kasi Viswanathan

W.A.(MD) No.1838 of 2025:

- 1.The Government of Tamil Nadu
rep.by its Secretary
Department of School Education
Fort St.George, Chennai-9
- 2.The Director of School Education
DPI Campus, College Road, Chennai-6
- 3.The Chief Educational Officer
Office of the Chief Educational Office
Tirunelveli – 627 001
- 4.The District Educational Officer
The Office of the District
Educational Officer
Tirunelveli District-627 001

... Appellants

-vs-

- 1.G.Kartheeswari
- 2.The Correspondent
St.Josephs Girls Higher
Secondary School
Jawahar Nagar, Tirunelveli-627 007

... Respondents



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W.A.(MD) No.1802 of 2025 & etc. batch

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 10.07.2024, passed in W.P.(MD) No.15194 of 2024, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : Fr.S.Savarimuthu
for M/s.Father Xavier Associates for R1
Mr.A.T.Anbarasan for R2

W.A.(MD) No.1845 of 2025:

- 1.The Director of Elementary Education
DPI Campus, Chennai-6
- 2.The District Educational Officer
(Elementary)
Kovilpatti, Thoothukudi District
- 3.The Block Educational Officer-I
Kovilpatti, Thoothukudi District

... Appellants

-vs-

- 1.T.Iruthaya Amali
- 2.The Correspondent
Punitha Inigo Primary School
Venkatachalapuram
Thoothukudi District

... Respondents



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W.A.(MD) No.1802 of 2025 & etc. batch

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 17.12.2024, passed in W.P.(MD) No.29759 of 2024, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : Mr.T.Aswin Rajasimman for R1
Not ready in notice for R2

W.A.(MD) No.1874 of 2025:

1.The Director of School Education
D.P.I.Compound, College Road
Chennai

2.The Chief Educational Officer
Tirunelveli District, Tirunelveli

3.The District Educational Officer
Tirunelveli District, Tirunelveli

... Appellants

-vs-

1.Esther

2.The Correspondent
Sarah Tucker Higher
Secondary School
Palayamkottai
Tirunelveli District

... Respondents



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W.A.(MD) No.1802 of 2025 & etc. batch

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 15.11.2024, passed in W.P.(MD) No.738 of 2024, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : Mr.S.Chellapandian for R1
Mr.M.Saravanakumar for R2

W.A.(MD) No.2054 of 2025:

1.The Chief Educational Officer
Tenkasi, Tenkasi District

2.The District Educational Officer (Secondary)
Tenkasi, Tenkasi District

... Appellants

-vs-

Hidhayathul Islam Higher Secondary School
rep.by its Manager
Kadayanallur-627 751
Tenkasi District

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 26.03.2025, passed in W.P.(MD) No.8426 of 2025, on the file of this Court.



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W.A.(MD) No.1802 of 2025 & etc. batch

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Mr.Pon Ramkumar

W.A.(MD) No.2073 of 2025:

- 1.The Director of School Education
College Road, Chennai-600 006
- 2.The Chief Educational Officer
Tiruchirapalli
Tiruchirapalli District
- 3.The District Educational Officer
(Elementary Education)
Mannarpuram
Tiruchirapalli, Tiruchirapalli District
- 4.The Block Educational Officer
Woraiyur, Tiruchirapalli District

... Appellants

-vs-

The Correspondent
St.Mary's Tope Middle School
Tiruchirapalli-620 002
Tiruchirapalli District

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 19.10.2024, passed in W.P.(MD) No.22663 of 2024, on the file of this Court.



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For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

W.A.(MD) No.2085 of 2025:

1.The Chief Educational Officer
Office of the Chief Educational Office
Madurai, Madurai District

2.The District Educational Officer
Office of the District Educational Office
Tamukkam, Madurai District

... Appellants

-vs-

1.P.Nijam Devi

2.The Correspondent
Sirumalar Girls Higher
Secondary School
Nagamalai, Madurai District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 22.10.2024, passed in W.P.(MD) No.23689 of 2024, on the file of this Court.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondents : Mr.Mohamed Imran
for M/s.Ajmal Associates for R1
Fr.S.Savarimuthu
for M/s.Father Xavier Associates for R2



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C O M M O N J U D G M E N T

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

These intra court appeals have been instituted by the State challenging the orders passed by the learned Single Judges holding that Teachers Eligibility Test is not mandatory for grant of approval of appointment in respect of the Minority Schools.

2. The issue relating to the Teachers Eligibility Test as a mandatory qualification for the teachers appointed by the Minority Institutions has been time and again adjudicated in various proceedings. However, the Division Bench of this Court *vide* Judgment dated 20.11.2023 in W.A.(MD) No.320 of 2023 considered the decisions of the Honourable Supreme Court of India and the scope of the provisions of the Right of Children to Free and Compulsory Education Act, 2009, in the context of prescription of educational qualification for appointment to the teaching post. It was reiterated that there cannot be any disparity in educational qualification amongst the teachers appointed in the Government Schools, Aided Schools and Minority Schools. In the event of any disparity, it will result in affecting the teaching capacity of the teachers. The very reason for introducing the



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Teachers Eligibility Test is to ensure and ascertain the capacity of the teachers to impart education to the children in the schools. Paragraph No.32 of the said decision reads as under:

“32.Right to administer by the minority would not exempt the power of the State from regulating the educational qualifications, salary and other service conditions for the teaching and non-teaching staff in order to maintain uniform standards in the matter of education. In this context, Section 3 of the Act provides power of the Government to regulate the school education. Accordingly, the Government may regulate different stage of education and courses of instruction in private schools. In T.M.A.Pai Foundation's case the Eleven Judges Bench held that regulations can be framed governing the service conditions for teaching and other staff, for whom aid is provided by the State without interfering over all administrative control of management. When the Eleven Judges bench has been distinguished the power of State to enact Act and Rules governing service conditions for teaching and other staff, including qualifications, there is no impediment for the State to prescribe Teachers Eligibility Test as a requisite qualification for appointment to teaching posts, de hors the provisions of the Right of Children to Free and Compulsory Education Act.”



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3. Learned Additional Government Pleader appearing for the appellants brought to the notice of this Court that the Tamil Nadu Private Schools (Regulation) Act, 2018, contemplates minimum educational qualification for the teaching staff of the private schools. Accordingly, Teachers Eligibility Test is prescribed as a mandatory qualification for recruitment to the teaching post in the Aided Schools, Minority Institutions and Government Schools. However, learned Additional Government Pleader submitted that in respect of the teachers appointed long back, their cases will be considered by the Government. After the notification of the Tamil Nadu Private Schools (Regulation) Rules, Teachers Eligibility Test became mandatory and it is being followed scrupulously in order to maintain uniform standard in the matter of appointment to the teaching post in Aided Schools, Minority Institutions and Government Schools.

4. With reference to the above submission, learned Additional Government Pleader produced a copy of the letter issued by the Principal



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Secretary to Government, School Education Department, dated 16.04.2025.

Paragraph No.10 of the said letter reads as under:

“10.Hence, I am to request your good selves to bring the above facts for the notice of the Hon'ble High Court as and when similar matters come up for admission/hearing and it would be appropriate to submit that only if the proposal for approval of appointment with respect to the individual/TET not passed teacher of aided minority school was pending consideration before the authorities concerned prior to 13.01.2023, the said proposal will be considered subject to the final orders to be passed in the above matter by the Hon'ble Supreme Court.”

5. In view of the above submission of the learned Additional Government Pleader, the individual cases are to be considered based on its own facts with reference to the rules and decision taken by the Government. Therefore, no further adjudication needs to be undertaken in the present writ appeals and the same are, accordingly, disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.] [G.A.M., J.]
12.08.2025



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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Chief Educational Officer,
Office of the Chief Educational Office,
Tirunelveli District, Tirunelveli.
- 2.The District Elementary
Educational Officer,
Office of the District Elementary
Educational Office,
Valliyoor, Tirunelveli District.
- 3.The Block Educational Officer,
Valliyoor Block, Valliyoor,
Tirunelveli District.
- 4.The Director of School Education ,
O/o.The Directorate of School Education,
DPI Compound, College Road,
Chennai-6.
- 5.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Madurai, Madurai District.
- 6.The District Educational Officer
(Elementary),
O/o.the District Educational Officer,
Melur, Madurai District.
- 7.The Secretary,
Government of Tamil Nadu,
Department of School Education,



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Fort St.George, Chennai-9.

- 8.The Director of School Education,
DPI Campus, College Road,
Chennai-6.
- 9.The Chief Educational Officer,
Office of the Chief Educational Office,
Tirunelveli – 627 001.
- 10.The District Educational Officer,
The Office of the District
Educational Officer,
Tirunelveli District-627 001.
- 11.The Director of Elementary Education,
DPI Campus, Chennai-6
- 12.The District Educational Officer,
(Elementary),
Kovilpatti, Thoothukudi District.
- 13.The Block Educational Officer-I,
Kovilpatti, Thoothukudi District.
- 14.The Director of School Education,
D.P.I.Compound, College Road,
Chennai.
- 15.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.
- 16.The District Educational Officer,
Tirunelveli District, Tirunelveli.
- 17.The Chief Educational Officer,
Tenkasi, Tenkasi District.



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- 18.The District Educational Officer (Secondary),
Tenkasi, Tenkasi District.
- 19.The Director of School Education,
College Road, Chennai-600 006.
- 20.The Chief Educational Officer,
Tiruchirapalli,
Tiruchirapalli District.
- 21.The District Educational Officer,
(Elementary Education),
Mannarpuram,
Tiruchirapalli, Tiruchirapalli District.
- 22.The Block Educational Officer,
Woraiyur, Tiruchirapalli District.
- 23.The Chief Educational Officer,
Office of the Chief Educational Office,
Madurai, Madurai District.
- 24.The District Educational Officer,
Office of the District Educational Office,
Tamukkam, Madurai District.



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and
G.ARUL MURUGAN, J.

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W.A.(MD) Nos.1802, 1819, 1838, 1845,
1874, 2054, 2073 & 2085 of 2025
and
C.M.P.(MD) Nos.10198, 10300, 10412,
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12.08.2025