



W.A(MD) No.857 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 12.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.857 of 2019

P.Sriram

... Appellant / Writ Petitioner

Vs.

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

2.The District Educational Officer,
Cheranmahadevi Educational District,
Office at Tirunelveli-1.

3.The Secretary,
Thilagar Vidhyalaya Higher Secondary School,
Kallidaikurichi,
Tirunelveli District.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 03.07.2019 made in W.P.(MD)No. 19594 of 2015 on the file of this Court and allow this appeal.



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For Appellant : Mr.M.Saravanan

For Respondents : Mr.C.Venkateshkumar
Special Government Pleader
for R1 & R2

: Mr.NC.Ashok Kumar
for R3

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant was appointed as BT Assistant (history) in the third respondent school on 16.07.2012. The appellant admittedly did not possess TET qualification. Therefore, the proposal for approving the appointment was negatived by the department. Challenging the same, the appellant filed W.P.(MD)No.19594 of 2015. The learned single Judge dismissed the writ petition vide order dated 03.07.2019 in the following terms:-

“3.The learned counsel appearing on behalf of the petitioner that there was a delay in conducting the Teachers Eligibility Test examinations by State Government. The said statement is disputed by



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the learned counsel for the respondents. The Teachers Eligibility Tests are being conducted by the State Government right from the year 2011 onwards. This apart, the Central Government is also conducting the Teachers Eligibility Test twice in a year. A Teacher is entitled to participate both in the State Government Examinations as well as in the Central Government Examinations. Therefore, every year twice the Teachers Eligibility Tests are conducted by the Central Government and the State Government is also periodically conducting the said examinations. Therefore, very contentions of the writ petitioner that the tests are not conducted is incorrect. This apart, the Teachers Eligibility Test was prescribed in the year 2011 and time was extended then and there till the year 2018. For the past 8 years, the writ petitioner has not passed the Teachers Eligibility Test and now it became amandatory qualification for appointment to the post of Teachers.

4.This being the factum, the case of the writ petitioner deserves no merit consideration. Only if the Teacher passed the Teachers Eligibility Test, approval of appointment can be granted and not otherwise. Under these circumstances, the writ petitioner cannot be construed as a qualified candidate for the purpose of grant of approval of appointment.”

3. The question that calls for consideration is whether the order of the learned single Judge deserves to be interfered with.

4. The issue raised in the writ petition is no longer res integra. The Division Bench of this Court in W.A.No.933 of 2022 (The Director of



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School Education Vs. Arivazhgan) dated 19.06.2023 had held that any appointee to the post of secondary grade teacher / BT assistant after 29.07.2011 must necessarily possess TET. Admittedly, in the present case, the appellant is not possessing TET qualification. His appointment was subsequent to the cutoff date. The learned single Judge rightly dismissed the writ petition. Interference with the said order is not called for. We however add that if the appellant is eligible to participate in any forthcoming TET and he clears the same, the department may re-visit the issue.

5. The writ appeal is dismissed. No costs.

(G.R.S., J.) (K.R.S., J.)
12.08.2025

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

1. The Director of School Education,
Director of School Education Office,
College Road,

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2.The District Educational Officer,
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