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W.P.(MD)NO.18489 OF 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

W.P.(MD)No.18489 of 2019

Victoryin Anita

... Petitioner

Vs.

1. The District Chief Educational Officer,
Tirunelveli.
 2. The District Educational Officer,
Cheranmahadevi, Tirunelveli District.
 3. The Block Educational Officer,
Cheranmahadevi, Tirunelveli District.
 4. The Correspondent,
R.C.Middle School,
Veeravanallur,
Cheranmahadevi Taluk,
Tirunelveli District.
 5. The Secretary,
Ministry of Human Resource and Development Department,
Government of India,
New Delhi.
- (R-5 is suo motu impleaded vide order dated 28.08.2019)

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 3 to grant approval to the petitioner's appointment as BT Assistant (Tamil) in the fourth respondent minority aided school with effect from 02.04.2018 without insisting the TET qualification certificate.

For Petitioner : Mr.D.Venkatesh
For R-1 to R-3 : Mr.V.Om.Prakash,
Government Advocate.

For R-5 : Mr.R.Gowri Shankar,
Panel counsel.

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The writ petitioner was appointed as B.T.Assistant (Tamil) in the fourth respondent school which is a minority institution. She was appointed on 28.03.2018. Her appointment has not been approved by the department on the ground that she has not passed TET.



3. It is well settled that the pass in TET cannot be insisted upon in respect of the minority institution. Therefore, the petitioner's appointment has to be necessarily approved by the second respondent.

4. The second respondent is directed to approve the petitioner's appointment within a period of eight weeks from the date of receipt of a copy of this order and also release the salary and other benefits payable to her. This writ petition stands allowed. No costs.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
30.01.2025

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

To:

1. The District Chief Educational Officer,
Tirunelveli.
2. The District Educational Officer,
Cheranmahadevi, Tirunelveli District.
3. The Block Educational Officer,
Cheranmahadevi, Tirunelveli District.



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