



W.P.(MD)No.18614 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.18614 of 2025

and

W.M.P.(MD).No.14272 of 2025

R.Daisy Angel

...Petitioner

Vs

1. The Director of Elementary Education
D.P.I. Compound
College Road
Chennai 600 006.

2. The District Educational Officer
Tenkasi
Tenkasi District.

3. The Block Educational Officer
Tenkasi Union
Tenkasi District.

4. The Correspondent
TDTA Primary School
Vadakarai
Tenkasi District.

... Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by



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the 3rd respondent herein in Oo.Mu.No. 061/A1/2024 dated 30.09.2024, Quash the same and further direct the 2nd respondent herein to approve the appointment of petitioner as Secondary Grade Teacher in the 4th respondent school w.e.f., 20.02.2019 and disburse grant-in-aid towards salary and other attendant benefits, and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner	: Mr.A.Ajith Geethan
For Respondent	
Nos.1 to 3	: Mr.N.Satheesh Kumar
	Additional Government Pleader
For Respondent	
No.4	: Mr.P.P.Alwin Balan

ORDER

This writ petition has been filed challenging the proceedings issued by the 3rd respondent herein in Oo.Mu.No. 061/A1/2024 dated 30.09.2024 and seeking consequential direction to the 2nd respondent herein to approve the appointment of petitioner as Secondary Grade Teacher in the 4th respondent school w.e.f., 20.02.2019 and disburse grant-in-aid towards salary and other attendant benefits.

2. The learned Counsel appearing for the petitioner would submit that the 4th respondent school is a recognized religious minority



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institution. He would further submit that a vacancy had arisen in a sanctioned post due to the transfer of the then incumbent in the post of Secondary Grade Teacher. Such vacancy had arisen, which had led to the appointment of the petitioner as Secondary Grade Teacher with effect from 20.02.2019. He further submits that the 4th respondent school had submitted a proposal to the 2nd respondent through the 3rd respondent seeking to approve the appointment of the petitioner as Secondary Grade Teacher w.e.f. 20.02.2019. The 3rd respondent herein returned the proposal vide impugned proceedings dated 30.09.2024 with a direction to produce the surplus certificate indicating that there was no surplus teacher in the Secondary Grade Teacher and to produce the teacher eligibility test certificate of the petitioner.

3. I have carefully considered the submissions made by the learned Counsels appearing on either side and perused the material available on record.

4. This court had already dealt with the similar issue in W.P. (MD).No.25712 of 2024 dated 14.10.2025. The only distinction in the present case is that the person who had been appointed as Secondary



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Grade Teacher did not possess the qualification of TET. In respect of the teachers who do not possess the qualification of TET and who are appointed on or before 13.01.2023, a policy decision has been taken by the Government to approve such appointments, however, subject to the result of the larger bench decision pending before the Hon'ble Apex Court. It is to be further noted that there is no surplus in the school or any other school within the corporate management of which the 4th respondent school belongs.

5. In such view of the matter, the writ petition stands allowed with the following directions:

“a) The respondent No.2 shall grant inprinciple approval of the proposal sent by the 4th respondent for the appointment of the petitioner as Secondary Grade Teacher.

b) Such approval shall be subject to the orders to be made by the Hon'ble Apex Court.



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c) On grant of approval, the petitioner would be entitled for the sanctioned salary from the date of this order and if the qualification is held into favour of the petitioner by the Hon'ble Apex Court, then the approval should revert back to the date of appointment of the said BT Assistant teacher and the arrears of salary from the date of appointment till the date of this order shall be paid by the respondents, within a period of four (4) weeks of the order passed by the Hon'ble Apex Court.”

6. With the above directions, the writ petition stands allowed, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.11.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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K.KUMARESH BABU, J.

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