



W.P.(MD).No.24012 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.24012 of 2025

and

WMP(MD).Nos.18831 & 18832 of 2025

M.Ameenul Beevi,

...Petitioner

-Vs-

1. The State of Tamil Nadu
Rep by its Principal Secretary
School Education Department
Secretariat
St.George Fort
Chennai 600 009.

2. The Director of School Education
O/o The Director of School Education
DPI Campus
Chennai.

3. The Chief Educational Officer
O/o The Chief Educational Office
Thanjavur
Thanjavur District.

4. The District Educational Officer
O/o The District Educational Office
Thanjavur
Thanjavur District.



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5. The Secretary
Khadir Mohideen Girls Higher Secondary School
Adirampattinam 614701
Thanjavur District

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned Order passed by the 3rd respondent vide his proceedings in O.Mu.No. 3264/A3/2025 dated 08.08.2025 and quash the same as illegal and consequently direct the 3rd respondent to approve the appointment of the petitioner as B.T Assistant (Social Science) with effect from 06.01.2020 with all other service and monetary benefits and disburse the same within the stipulated period fixed by this Honble court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For petitioner : M/s.H.Mohammed Imran

For Respondent Nos.1 to 4 : M/s.N.Satheesh Kumar
Addl. Government Pleader



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ORDER

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This writ petition is filed challenging the impugned order passed by the 3rd respondent vide his proceedings in O.Mu.No.3264/A3/2025 dated 08.08.2025 and seeking consequential direction to the 3rd respondent to approve the appointment of the petitioner as B.T Assistant (Social Science) with effect from 06.01.2020 with all other service and monetary benefits and disburse the same.

2. Even in the impugned order herein, the proposal of the appointment of the petitioner as BT Assistant (Social Science) forwarded by the 5th respondent school has been returned with reasons stating that even though the 5th respondent school has been declared as a Minority Institution by way of orders of this Court W.P.No.2006 of 1975, the 5th respondent institution had not been registered with the Minority Commission, the 5th respondent school and one another school are under the same management and therefore, they should only be considered to be the schools under single management. The petitioner has not qualified with TET. It is to be noted that the 4th respondent in his counter affidavit had admitted that the fifth respondent school is a private aided minority school. In view of the specific

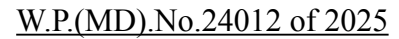


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admission made by the 4th respondent in his counter affidavit, the reasons for rejection stated under Sl.Nos.1 and 2 in the impugned order are not available. As regards the claim of surplus in the management, it is not the case that there has been surplus staff in the joint management. The non qualification of TET cannot also be put against the petitioner as according to a circular that has been issued by the first respondent, the Government had taken a policy decision to approve the appointment of teachers without the qualification of TET, if their appointment was prior to 13.01.2023, however, this is subject to the result of the judgement to be rendered by a larger bench of the Hon'ble Apex Court, in which a reference has been made regarding application of TET to minority institutions. Therefore, the said issue cannot also be raised by the respondents.

3. In such view of the matter, the writ petition stands disposed of with the following directions:

“a) The respondents shall grant in-principle approval of the proposal sent by the 5th respondent school for the appointment of the petitioner as BT Assistant (Social Science).



Hon'ble Apex Court.

4. With the above directions, the writ petition stands disposed of, there shall be no order as to costs. Consequently, connected Miscellaneous Applications are closed.

28.10.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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