



WA(MD)No.2164 of 2024

BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

WEB COPY

DATED : 20.01.2025

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.A(MD)No.2164 of 2024
and
CMP(MD)No.15221 of 2024**

1. District Educational Officer (Elementary),
Sivakasi Educational District,
Sivakasi,
Virudhunagar District.

2. Block Education Officer,
Vempakottai Union,
Sivakasi,
Virudhunagar District.

... Appellants

vs.

1. Shyamala
2. The Correspondent,
Virudhunagar District,
SPM Primary School,
Anbin Nagaram,
Virudhunagar District.

... Respondents

Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P(MD)No.14181 of 2024 dated 01.07.2024.



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For Appellants : Mr.J.Ashok
Additional Government Pleader
For R1 : Mr.J.Gunaseelan Muthiah
For R2 : Mr.B.Moorthikannan

JUDGMENT

(Judgment of the Court was made by **M.S.RAMESH, J.**)

This writ appeal is directed against the order made in W.P(MD)No. 14181 of 2024, dated 01.07.2024, wherein, it has been held that a pass in Teacher's Eligibility Test cannot be insisted upon for the teachers working in the minority institutions.

2. The learned Additional Government Pleader appearing for the appellant would submit that the approval of appointment of the Teacher in the respondent school could not be granted on the ground that the Teacher does not possess a pass in the Teacher's Eligibility Test (TET). On this ground, he seeks for setting aside the order of the learned Single Judge passed in the writ petition.

3. This Court, in exercise of its power under Article 226 of the Constitution of India, has been consistently holding that a pass in the Teacher's Eligibility Test is not a mandatory pre-requirement for appointment of a



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Teacher in a minority school and that the educational authorities have no authority to reject a proposal for approval of such appointment made. The orders of the Division Benches of this Court in W.A.No.179 of 2024, dated 22.01.2024 [The Government of Tamil Nadu, Rep. by its Additional Chief Secretary, Department of School Education and others vs. T.Selvarani and another] and in W.A.(MD)No.670 of 2024, dated 12.04.2024 [The District Educational Officer, Sivagangai and another vs. Y.Joseph Mercy Rani and another], are two such orders, wherein, this ratio has been upheld.

4. Since the law has been well laid down as aforesaid, we see no justification on the part of the authorities in having rejected the proposal of the minority schools, seeking for approval of the appointments made.

5. In view of the same, no interference is warranted to the impugned order passed in the writ petition and the writ appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(M.S.R, J.) (A.D.M.C, J.)
20.01.2025

Index : Yes / No
Neutral Citation : Yes / No
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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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To

1. The District Educational Officer (Elementary),
Sivakasi Educational District,
Sivakasi,
Virudhunagar District.

2. The Block Education Officer,
Vempakottai Union,
Sivakasi,
Virudhunagar District.

JUDGMENT MADE IN
WA(MD)No.2164 of 2024
DATED : 20.01.2025