



W.P.(MD) No.25256 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
15.10.2025	12.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.25256 of 2025
and
W.M.P.(MD) Nos.19804 & 19806 of 2025

Sr.A.Julie

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Rep., by its Secretary,
Department of School Education,
Fort St., George,
Chennai – 600 009.
- 2.The Director of School Education,
College Road, Chennai – 600 006.
- 3.The District Educational Officer (Elementary),
The Office of the DEEO
Old Collector Office Road,
Thanjavur District – 613 001.
- 4.The Block Educational Officer,



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The Office of the BEEO,
Budalur (Post),
Thanjavur District – 613 602.

5.The Correspondent,
R.C.Middle School,
Megalathur – 613 102,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the fourth respondent Block Educational Officer in Na.Ka.No.1315/A1/2023, dated 00.08.2024, quash the same and further direct the third and fourth respondents to approve forthwith the Promotional appointment of the petitioner as Headmistress in the fifth respondent school, w.e.f., 01.07.2023 and disburse grant-in-aid towards her salary and other attendant benefits and pass such further orders.

For Petitioner : Ms.Amala Irudhaya Marys

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This Writ Petition had been filed to quash the impugned proceedings issued by the fourth respondent Block Educational Officer, dated 00.08.2024,



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and further direct the third and fourth respondents to approve forthwith the appointment of the petitioner as Headmistress by promotion in the fifth respondent school, w.e.f., 01.07.2023 and disburse grant-in-aid towards her salary and other attendant benefits.

2. Heard Ms.Amala Irudhaya Marys, the learned counsel appearing for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents.

3. The proposals sent by the fifth respondent School for the promotion of the petitioner as its Headmistress from the post of B.T. Assistant (Tamil) within the Corporate Management had been returned indicating that the schools within the Corporate Management had not been enlisted and as the petitioner do not possess TET qualification, such approval has to await the outcome of the pending proceedings before the Court and upon which the instructions would be received from the Director of Elementary Education.

4. It is not disputed that the petitioner had been working as a B.T. Assistant (Tamil), which has also been approved by the authorities. In a



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vacancy that arose in the position of the Headmistress in the fifth respondent school, upon an incumbent Headmistress being transferred to a school comprised in the Corporate Management, the petitioner had been promoted as a Headmistress. The Rules do not envisage that for grant of promotion, TET is mandatory. Further, the Hon'ble Apex Court in **Paramathi's** case has categorically held that the provisions of the Right to Education Act, 2009 cannot be made applicable to minority institutions to thrust TET upon them. Even though the said judgment had been referred to a Larger Bench, till a decision is taken upon the same, the law laid down in the **Paramathi's** case will hold good.

5. That apart, the Government had taken a policy decision in respect of Teachers, who have been appointed prior to 13.01.2023, who had not been qualified with TET. Therefore, this Court is of the view that the requirement of TET need not be insisted upon with regard to the promotion of the petitioner as a Headmistress from the post of B.T. Assistant within the Corporate Management.

6. For the aforesaid reasons, the Writ petition stands disposed of with



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the following directions:-

a) The fifth respondent school shall resubmit the proposal indicating that the details of schools of Corporate Management within which the fifth respondent is also forms a part.

b)On receipt of such proposal, without insisting upon the qualification of TET, the third respondent is directed to consider the proposal on its merits and in accordance with law and pass orders within a period of four (4) weeks thereafter.

c)However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

12.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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PRE-DELIVERY ORDER
IN
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and
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