



W.P.(MD).No.26457 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12-11-2025

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.26457 of 2025

and

WMP(MD).No.20540 of 2025

The Correspondent,
A.V.S. High School,
Puliangudi 627 855,
Kadayanallur Taluk,
Tenkasi District.

...Petitioner

Vs

1. The Chief Educational Officer,
Tenkasi,
Tenkasi District.

2. The District Educational Officer (Secondary),
Tenkasi,
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 order in O.Mu.No. 3968/A5/2024 dated 16.07.2025 of the 2nd respondent herein and quash the same and consequently direct the respondents 1 and 2 herein to approve the appointment of B.Rainey Jeniezha as a BT Assistant (Maths) in the petitioner school w.e.f 01.07.2025 with all other attended 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.



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For Petitioner : M/s.T.Pon Ramkumar

For Respondents : M/s.N.Satheesh Kumar,
Additional Government Pleader

ORDER

This writ petition is filed challenging the impugned order in O.Mu.No.3968/A5/2024 dated 16.07.2025 of the 2nd respondent and seeking consequential direction to the respondents 1 and 2 herein to approve the appointment of B.Rainey Jeniezha as a BT Assistant (Maths) in the petitioner school w.e.f 01.07.2025 with all other attended benefits.

2. The petitioner's institution had submitted a proposal seeking approval of the appointment of B.Rainey Jeniezha as B.T. Assistant (Maths). The said proposal has been returned with a direction to produce the teacher eligibility test certificate of the appointed teacher.

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



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4. The requirement of the qualification of TET in respect of the minority institutions had been decided in the judgement of the Hon'ble Apex Court in Paramathi case. Even though, the same subject matter referred to a full bench till the decision is taken by the full bench, the judgement in Paramathi's case will hold good. Taking into apprehension that if the larger bench holds that the judgement in paramathi's case is not a good law, then the requirement of TET will get back to the date of statutes namely the Right to Education Act and if any approval is directed to be given from the date of appointment it would only drive the management and the teacher appointed to initiate further litigation as the Government will attempted to recover the grants given with regard to the such appointments.

5. For the aforesaid reasons, this writ petition stands disposed of with the following directions:

“a) The respondents shall grant in-principle approval to the proposal sent by the petitioner institution for the appointment of B.Rainey Jeniezha as B.T. Assistant (Maths).



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b) Such approval shall be subject to the orders to be passed by the

Hon'ble Apex Court.

c) On grant of such approval, the petitioner would be entitled for the sanctioned salary from the date of this order and if the qualification is held in 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, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2025

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



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To:

WEB COPY

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Tenkasi,
Tenkasi District.

2. The District Educational Officer (Secondary),
Tenkasi,
Tenkasi District.



WEB COPY



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K.KUMARESH BABU, J.

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