



W.P.(MD)No.28443 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.28443 of 2025

and

W.M.P.(MD).Nos.22085 & 22088 of 2025

L.Stella Mary Joycee,
B.T.Assistant (Social Science)
Bishop Heber Higher Secondary School
Puthur
Trichy District.

...Petitioners

Vs

1. The Chief Educational Officer,
Trichy
Trichy District.

2. The District Educational Officer (Secondary Education)
Trichy
Trichy District.

3. The Bishop Heber Higher Secondary School
Rep. by its correspondent
Puthur, Trichy 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 order passed in Na.Ka.No. 00659/A4/2024 dated 06.08.2024 and quash the same as illegal and consequently to direct the 1st respondent to approve petitioner appointment in the post of BT Assistant (Social Science) in the



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Respondent School w.e.f 20.09.2023 within the period that may be stipulated by this Honble Court 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	: M/s.H.Jasima Yasmin for M/s.Ajmal Associates
For Respondent Nos.1 &2	: Mr.N.Satheesh Kumar Additional Government Pleader
For Respondent Nos.3	: No appearance

ORDER

This writ petition has been filed challenging the impugned order in Na.Ka.No.00659/A4/2024 dated 06.08.2024 and seeking consequential direction to the 1st respondent to approve the appointment of the petitioner in the post of BT Assistant (Social Science) in the Respondent School w.e.f 20.09.2023.

2. The issue involved in this writ petition is with regard to the approval of the petitioner's promotion as BT Assistant (Social Science) from the post of Secondary Grade Teacher which had been approved. The approval for promotion have been rejected on the ground that the



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petitioner do not possess a pass in TET and also that for the academic year 2023-2024, there is a surplus in the post of BT Assistant in the District. The reason attributed by the 1st and 2nd respondents for the refusal cannot be said to be a valid one as the issue of TET with regard to the promotion is no longer *res integra* and the same is covered by Judgment of the Hon'ble Division Bench of this Court reported in **2023 (3) LW 112 (The Director of School Education D.P.I.Campus, College Road & others vs M.Velayutham & another)**. The TamilNadu Private School (Regulation) Rules, 2023 do not envisage qualification of TET for promotion. As regards, the surplus, this Court had held that having not followed the compendium issued by the Division Bench of this Court, the Private Management cannot be said to be put into a disadvantageous position as it affects the fundamental rights of the students studying in the school.

3. For the aforesaid reasons, the order impugned herein is set aside and the respondents are directed to approve the appointment of the petitioner as BT Assistant (Social Science) with effect from the date of her appointment and grant all monetary benefits. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of the order.

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4. With the above directions, this writ petition is disposed of. No

costs. Consequently, connected miscellaneous petitions are closed.

10.11.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

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To:
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K.KUMARESH BABU, J.

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