



W.P.(MD).No.30893 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.30893 of 2025

and

W.M.P(MD)No.24081 of 2025

E.Pon Jasper

...Petitioner

Vs

1.The Director of School Education,
D.P.I. Campus, College Road,
Chennai.

2.The District Educational Officer,
Tirunelveli District,
Tirunelveli.

3.The Block Educational Officer,
Palayamkottai Block,
Tirunelveli District.

4.The Correspondent,
S.T.C. Br Market Primary School,
Palayamkottai,
Tirunelveli 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 of the impugned order issued by the second respondent by his proceedings vide Oo.Mu.No.3473/A5/2024, dated



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16.09.2024 and quash the same and consequently directing the second respondent to approve the appointments of the petitioner as Secondary Grade Teacher from the initial date of appointment i.e., 02.07.2019 along with arrears of salary and with all attendant benefits, monetary benefits, with in the time stipulated by this Court.

For Petitioner : Mr.G.Sailendrababu

For R1 to R3 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus, calling for the records of the impugned order issued by the second respondent by his proceedings vide Oo.Mu.No.3473/A5/2024, dated 16.09.2024 and quash the same and consequently directing the second respondent to approve the appointments of the petitioner as Secondary Grade Teacher from the initial date of appointment i.e., 02.07.2019 along with arrears of salary and with all attendant benefits, monetary benefits, with in the time stipulated by this Court.

2. Under the order impugned herein, the second respondent herein rejected the proposal of the appointment of the petitioner as a Secondary Grade Teacher in the fourth respondent school. The reasons attributed in



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the order impugned is that the petitioner had not qualified with TET.

Apart from that, the original documents had not been annexed along with the proposal.

3. The issue relating to TET is no longer *res integra*. That apart, the Government has taken a policy decision to approve the appointments of Teacher who were appointed prior to 13.01.2023, subject to the result of the Larger Bench judgement of the Hon'ble Apex Court. Therefore, there can be no embargo on approving the appointment of the petitioner, who was appointed as early as on 02.07.2019. Since the petitioner was also been appointed prior to the judgment delivered in W.A.No.76 of 2019, the issue of joint management/corporate surplus cannot be put against the petitioner.

4. In such view of the matter, the writ petition stands allowed with the following directions.

a) The impugned order is set aside and the respondents shall grant in-principle approval of the proposal sent by the 4th respondent school for the appointment of the petitioner as Secondary Grade Teacher;



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

Hon'ble Apex Court;

c) On grant of 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 Secondary Grade 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.

There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

19.11.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

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To:
WEB COPY

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K.KUMARESH BABU, J.

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