



WEB COPY

W.A.No.614 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.614 of 2026

and

C.M.P.No. 5763 of 2026

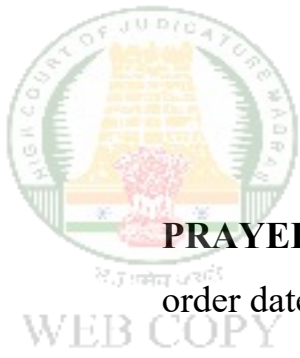
1. The State of Tamil Nadu
Rep. by Secretary to Government,
Education Department,
Chennai - 600 009.
2. The Director of School Education,
Chennai - 600 006.
3. The Chief Educational Officer,
Vellore.
4. The District Educational Officer,
Vellore.

..Appellants

Vs

1. S.Belavendiram
2. The Manager,
R.C.M. Schools,
Catholic Bishops House,
34, Anna Salai,
Vellore - 632 001.
3. The Correspondent
Don Bosco High School,
Officer's Line,
Vellore.

..Respondents



PRAYER ; Appeal filed under Clause XV of Letters Patent, to set aside the order dated 04.08.2025 made in W.P.No.25262 of 2025.

For Appellants : Mr.J.C.Durairaj
Additional Government Pleader

For Respondents : Mr.S.N.Ravichandran for R1

J U D G M E N T

(Judgment of the Court was delivered by R.SURESH KUMAR, J.)

This intra-Court appeal has been directed against the order dated 04.08.2025 made in W.P.No.25262 of 2025.

2. The first respondent was the writ petitioner who was initially appointed as Secondary Grade Teacher on 10.06.1988, subsequently promoted as Secondary Grade Headmaster on 07.06.2007 and posted at R.C.M.Primary School, Arni. Thereafter, he was transferred to Don Bosco Primary School, Vellore, where, on the retirement of one John D.Britto, the writ petitioner was posted as B.T.Asssistant (Maths) vide appointment order dated 30.06.2023.

3. That itself was a promoted post based on the qualification that he was having and when such promoted post was sent to the official respondents for approval, the same has been rejected on the sole ground that the first respondent / writ petitioner did not have the Teachers Eligibility Test qualification.



4. Only at that juncture, the writ petitioner / Teacher approached the writ Court and filed the said writ petition seeking to quash the said order of rejection dated 18.02.2025 and seek for a direction to approve the appointment of him as B.T.Assistant (Maths) with effect from 01.08.2023 with all consequential monetary benefits.

5. The writ Court after hearing the learned counsel appearing for both sides, especially, the learned Special Government Pleader appearing for the respondents therein who fairly conceded the legal position before the writ Court that, since the School where the Teacher was working is a Minority Institution and as per the law which has already been declared, which is in vogue and being adopted in various such Schools in the matter of ***Director of Elementary Education Vs. Madarasa-E-Azam Government Aided Primary School in W.A.No.1865 of 2025 dated 24.06.2025***, the Teachers Eligibility Test qualification cannot be insisted upon the Teacher who is working in a Minority Institution as pre-requisite qualification to hold the post or seeking approval of the post and therefore, the said writ petition was allowed through the impugned order.

6. Though an attempt has been made by Mr.J.C.Durairaj, learned Additional Government Pleader appearing for the appellants to assail the order of the writ Court, we are not impressed with the submissions for the simple



reason that, the legal position is no more *res integra* as of now as the Institution where the Teacher is working admittedly in a Minority Institution, therefore, an insistent of Teachers Eligibility Test qualification may not be required at this juncture and moreover that was the only reason for which the appointment or promotion given to the Teacher to the post of B.T.Assistant (Maths) since has been rejected, the same ought not to have been rejected and hence, the learned Judge has rightly allowed the said writ petition through the impugned order.

7. In that view of the same, we do not find any plausible reason to interfere with the order passed by the writ Court, as a result of which, this Writ Appeal fails and hence, it is dismissed. The order passed by the writ Court shall be complied with within a period of two months from the date of receipt of a copy of this order. However, there shall be no order as to costs. Connected, miscellaneous petition is closed.

(R.S.K., J.) (N.S., J.)
26-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

vji



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Chennai – 600 009.
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