

W.P(MD)No.9913 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :09.06.2026

CORAM:

THE HONOURABLE MR JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.9913 of 2026
and
W.M.P.(MD).No.7834 of 2026

The Correspondent,
Seeniammal High School,
Chinthamani, Puliangudi-627 855
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, to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order in O.Mu.No.1216/A5/2026 dated 16.03.2026 of the second respondent herein and quash the same and consequently direct the respondent Nos.1 and 2 herein to approve the appointment of M.Arul Jothi as High School Headmaster w.e.f22.01.2026 with all other attended benefits.

For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mrs.K.Porkodi
Government Pleader



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ORDER

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This writ petition has been filed by the petitioner school challenging the proceedings bearing O.Mu.No.1216/A5/2026 dated 16.03.2026 whereby the second respondent herein refused to grant approval for the promotion of one M.Arul Jothi as High School Headmaster in the petitioner school on the sole ground that the said M.Arul Jothi has not passed the Teachers Eligibility Test. The main ground on which the petitioner has challenged the impugned proceedings is that the petitioner school, being a minority school, the qualification of passing the Teachers Eligibility Test cannot be insisted for the Teachers working there.

2. According to the learned counsel for the petitioner, the very same issue has fallen for consideration before this Court as well as the Hon'ble Apex Court and in ***Paramati Educational and Cultural Trust vs. Union of India*** reported in ***2014 (8) SCC Page No.1***, the Hon'ble Apex Court categorically held that the provisions of the Right to Education Act, 2009 cannot be made applicable to minority institutions to thrust TET upon them. Relying on the said judgment, the learned



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counsel contended that the sole ground on which the impugned proceedings came to be issued is fully unsustainable and contrary to the decision of the Hon'ble Apex Court. The learned counsel for the petitioner also placed reliance on the order dated 12.12.2025 passed in W.P.(MD).No.25256 of 2025 by a co-ordinate bench of this Court following Paramati's case cited supra.

3.When this matter came up for consideration on 09.04.2026, this Court, having taken note of the above legal position, afforded an opportunity to the respondents to get instructions in the matter.

4.Today (09.06.2026), Mrs.K.Porkodi, learned Government Pleader appearing for the respondents submitted that the decision rendered in Paramati's case is holding the field as on date, though the same was referred to a larger Bench for re-consideration and unless and until the view taken in Paramati's case is reviewed, the same is binding on the State as well as the respondent authorities.

5.In the light of the fair submission made by the learned



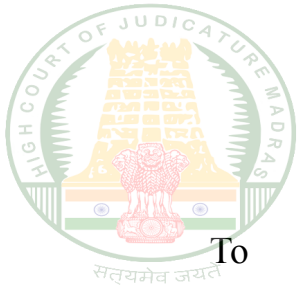
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Government Pleader and also taking into consideration the decision of the Hon'ble Apex Court in Paramati's case and the order dated 12.12.2025 passed by Co-ordinate Bench of this Court, this Court is unhesitant to come to a conclusion that the impugned proceedings cannot be sustained and hold that there is no justification for the third respondent to insist for pass in Teachers Eligibility Test for approving the appointment of Headmaster in the petitioner school. Accordingly, the impugned proceeding is hereby quashed with a further direction to the second respondent to grant approval for the appointment of Headmaster by appointing M.Arul Jothi without insisting for pass in Teachers Eligibility Test and issue appropriate orders as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this order.

6.In fine, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

09.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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MUMMINENI SUDHEER KUMAR.,J.

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