

W.A.(MD) No.3275 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD)No.3275 of 2025

and

C.M.P.(MD)No.20477 of 2025

S.Senthilkumar

... Appellant

-VS-

1.The Chairperson,
National Council for Teacher Education,
Hans Bhawan Wing-II,
New Delhi – 110002.

2.The Secretary to Government,
School Education Departments,
Government of Tamil Nadu,
Fort St. George,
Chennai – 9.

3.The Director,
Directorate of School Education,
DPI Compound, College Road,
Chennai.

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4.The Chairman,

Teacher Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai – 6.

5.The Regional Director,

South Regional Committee (NCTE),
Jnana Bharathi Campus Road,
Nagar Bahvi,
Opp. National Law School,
Bangalore – 560072.

6.The Chief Educational Officer,

Theni District, Theni.

7.The District Educational Officer,

Periyakulam, Theni District,
Theni.

8.The Secretary,

Sri Varadha Venkataraman Higher Secondary School,
Venkatachalapuram, Theni District.

9.The Head Master,

Sri Varadha Venkataraman Higher Secondary School,
Venkatachalapuram, Theni District.

10.Kavitha

... Respondents



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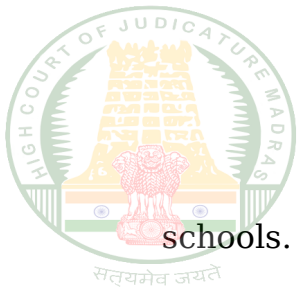
PRAYER: Writ Appeal filed under Clause XV of the Letters Patent Act, praying to allow the Writ Appeal and set aside the order dated 23.09.2025 passed by the learned Single Judge in W.P.(MD)No.15588 of 2021, on the file of this Court.

For Appellant : Mr.Kannan Gurusami
For Respondents 2,3,6&7 : Mr.J.Ashok,
Additional Government Pleader
For Respondent No.4 : Mr.T.Amjad Khan,
Standing Counsel
For Respondent No.10 : Mr.T.Lajapathi Roy,
Senior Counsel
for M/s.Roy & Roy Associates

JUDGMENT

[Judgment of the Court was made by DR.G.JAYACHANDRAN, J.]

Writ of Quo Warranto filed by alumni of the school in which the 10th respondent is serving as a Teacher on the ground that the 10th respondent had not cleared the TET examination. Therefore, she has no authority to hold the post. The 10th respondent joined service in the year 2010. The Government Order by the Education Department of the Government was passed in the year 2011, which mandated clearance of TET examination as a pre-condition to be appointed as Teacher in



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schools. The Writ Petition came to be filed in the year 2021 nearly 10 years after the G.O. Hence, learned Judge dismissed the Writ Petition on the ground of laches. Being aggrieved, the appeal is filed.

2.Learned Counsel appearing for the appellant states that the 10th respondent who is not qualified to be a teacher for not being cleared the TET examination, her appointment at the inception itself is illegal and therefore, on coming to know about her disqualification, the Writ Petition been filed, therefore, laches cannot stand in the way of entertaining a Writ of Quo Warranto.

3.Learned Senior Counsel appearing for the 10th respondent in the Writ Petition circulated a judgment of the Hon'ble Supreme Court rendered in the case of **Anjuman Ishaat-E-Taleem Trust Vs. The State of Maharashtra & others** in **Civil Appeal No.1385 of 2025** dated **01.09.2025**, wherein the Hon'ble Supreme Court on considering the requirements of TET qualification had held that every teacher appointed must be qualified in the TET examination to continue in service. However, the same is exempted for teachers who have less than five years of service as on the date of the judgment.

4.Since the judgment was delivered on 1st September, 2025, and the 10th respondent Kavitha, whose date of birth is 03.06.1970, is left



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with less than five years of service, even otherwise, a Writ of Quo Warranto is not sustainable.

5. Accordingly, this Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[G.J., J.] & [K.K.R.K., J.]

05.01.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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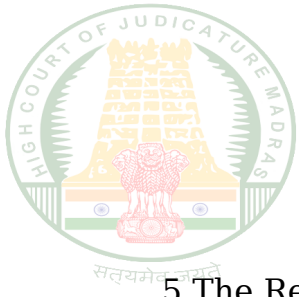
To

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