

ITEM NO.24+64

COURT NO.8

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

**SPECIAL LEAVE PETITION (CIVIL) Diary No(s).45649/2023**

(Arising out of impugned final judgment and order dated 02-06-2023 in WA No. 2050/2022 passed by the High Court Of Judicature At Madras)

STATE OF TAMIL NADU &amp; ORS.

Petitioner(s)

VERSUS

R. VARUN

Respondent(s)

( IA No.232135/2023-CONDONATION OF DELAY IN FILING and IA No.232138/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

WITH

Diary No(s). 45638/2023 (XII)

( IA No.233644/2023-CONDONATION OF DELAY IN FILING and IA No.233642/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Diary No(s). 45445/2023 (XII)

( IA No.233332/2023-CONDONATION OF DELAY IN FILING and IA No.233330/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Diary No(s). 45441/2023 (XII)

( IA No.234637/2023-CONDONATION OF DELAY IN FILING and IA No.234638/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

With

**SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 45250/2023 (Item 64)**

(FOR ADMISSION and I.R. and IA No.235672/2023-CONDONATION OF DELAY IN FILING and IA No.235668/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

WITH

Diary No(s). 43850/2023 (XII)

( IA No.235819/2023-CONDONATION OF DELAY IN FILING and IA No.235813/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Diary No(s). 43870/2023 (XII)

(FOR ADMISSION and IA No.232031/2023-EXEMPTION FROM FILING O.T. and IA No.232029/2023-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 45315/2023 (XII)

( IA No.238421/2023-CONDONATION OF DELAY IN FILING and IA No.238420/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Diary No(s). 45443/2023 (XII)  
( IA No.236191/2023-CONDONATION OF DELAY IN FILING and IA  
No.236190/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 45444/2023 (XII)  
(FOR ADMISSION and I.R. and IA No.236091/2023-CONDONATION OF DELAY  
IN FILING and IA No.236092/2023-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

Diary No(s). 45642/2023 (XII)  
(FOR ADMISSION and I.R. and IA No.236096/2023-CONDONATION OF DELAY  
IN FILING and IA No.236099/2023-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT)

Date : 20-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. D. Kumanan, AOR

Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Jaideep Gupta, Adv.  
Mr. D. Kumanan, AOR  
Mr. Sheikh F. Kalia, Adv.  
Mrs. Deepa. S, Adv.

Mr. S. Nagamuthu, Sr. Adv.  
Mr. M.P. Parthiban, AOR  
Mr. Priyaranjani Nagamuthu, Adv.  
Mr. Bilal Mansoor, Adv.  
Mr. Shreyas Kaushal, Adv.

For Respondent(s) Mr. Samindra Kumar Tripathi, Adv.  
Raj Narayan A. S., Adv.  
Ms. Neelam Singh, AOR

UPON hearing the counsel the Court made the following

**O R D E R**

Delay condoned.

2. Heard Dr. Abhishek Manu Singhvi, learned Senior Counsel for the petitioners.
3. The challenge here is to the judgment dated 02.06.2023 of the Division Bench of the High Court which says that teachers appointed

prior to 29.07.2011 shall continue in service and also receive increments and incentives, even if they do not possess the TET qualification. However, for future promotion from secondary grade teacher to B.T. Assistant as also to Headmasters etc., irrespective of their date of original appointment, they must necessarily possess the TET qualification.

4. The counsel for the petitioner-State at the very outset clarifies that the direction given by the Division Bench for continuation of teachers appointed prior to 29.07.2011 even without the TET qualification, is not being challenged by the State.

5. However, the State is concerned with insistence on TET qualification for the purpose of promotion to B.T. Assistant Teacher and as well as Headmasters. The senior counsel submits that the similar matters are also pending before this Court.

6. Issue notice. Tag with SLP (C) No.2691/2022.

Diary No(s). 43870/2023

Permission to file Special Leave Petition is granted.

2. Mr. S. Nagamuthu, the learned Senior Counsel appearing for the petitioner submits that this case is similar to the SLP (C) Diary No(s).45649/2023 and prays that the matter may be tagged with the SLP (C) No.2691/2022, for analogous hearing.

3. Issue notice. Tag with SLP (C) No.2691/2022.

(DEEPAK JOSHI)  
COURT MASTER (SH)

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR