



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.11.2016

C O R A M

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THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.22505 of 2016

Somasundaram

.. Petitioner

Vs.

1. Government of Tamil Nadu rep.by
The Secretary to Government,
Department of School Education,
Fort St.George, Chennai - 9.

2. The Chairman,
Teacher Recruitment Board,
4th Floor, E.V.K. Sampath Maligai,
College Road, Chennai - 6.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to give the relaxation for the MBC/DNC candidates from getting the minimum qualifying marks of 50% out of 150 marks of the written examination for the post of Senior Lecturers Lecturers and Junior Lecturers for the District Institute of Education and training and Government Teacher Training Institute under the State Council of Education Research and Training Tamilnadu for 2016 examination on 17.09.2016 by virtue of the ratio laid down by the Hon'ble Apex Court in Civil Appeal No.10700 of 2016 by considering representation of the petitioner dated 15.11.2016.

For Petitioner

... Mr.M.Ramu

For Respondents

... Mr.A.Muthukaruppan

Additional Government Pleader

O R D E R

This is writ of Mandamus seeking direction to the respondents to give the relaxation for the MBC/DNC candidates from getting the minimum qualifying marks of 50% out of 150 marks of the written examination for the post of Senior Lecturers, Lecturers and Junior Lecturers for the District Institute of Education and training and Government Teacher Training Institute



under the State Council of Education Research and Training Tamilnadu for 2016 examination on 17.09.2016 by virtue of the ratio laid down by the Hon'ble Apex Court in Civil Appeal No.10700 of 2016, by considering representation of the petitioner dated 15.11.2016.

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2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The petitioner applied for the post of Senior Lecturer in SCERT/DIET in History under MBC/DNC category. The written examination was held on 19.07.2016. Even though 12,164 candidates attended the examination, very few candidates only have secured the qualifying marks, because of the fact that the second respondent prescribed the minimum qualifying marks as 50% (75 marks) out of 150 marks for others. None of the candidates secured minimum qualifying marks in History, Mathematics, Physics, Chemistry, Zoology and Geography and other post also. In 2011, the second respondent has prescribed the minimum qualifying marks as 60 out of 150 marks for the same post. However, when the same situation arose in the year 2013, the first respondent has relaxed the minimum qualifying marks by giving 5% relaxation to reserved candidates in Teacher Eligibility Test and the same was upheld by the Hon'ble Apex Court in Civil Appeal No.10700 of 2016.

3.1. The grievance of the petitioner is that though he has given a representation dated 15.11.2016, to the respondents stating the above position, the same has not been considered so far. Hence, the present writ petition.

4. Under such circumstances, the first respondent is directed to consider the representation of the petitioner, dated 15.11.2016 and to pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar



To

1. The Secretary to Government,
Government of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai - 9.

2. The Chairman,
Teacher Recruitment Board,
4th Floor, E.V.K. Sampath Maligai,
College Road, Chennai - 6.

+ 1 CC TO Mr.M.RAMU, ADVOCATE IN SR No.72790

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72687

RJ2

TE/MR-VB : 02/02/2017 : 3P/5C

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