

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1536 of 2015

S.Bhawani Devi

...Petitioner

/versus/

1.The Secretary,
Education Department,
Government of Tamil Nadu,
Secretariat, Chennai.

2. The Assistant Director,
Teacher Recruitment Board,
College Road,
Chennai - 600 006.

...Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the rejection letter dated 15.04.2014 made in O.Mu.No.3082/4098/TET/2014 issued by the second respondent herein quash the same and directing the second respondent to appoint the petitioner as P.T Assistant.

For Petitioner : Mr.J.Nandagopal, for
M/s.AS.Kailasam and Associates

For Respondent 1 : Mr.S.Gunasekaran, AGP

For Respondent 2 : Mr.K.Venkataramani, AAG VII
Assisted by Mr.K.Dhananjayan
Special Government Pleader

O R D E R

Heard Mr.J.Nandagopal, for M/s.AS.Kailasam and Associates, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Additional Government Pleader appearing for the first respondent and Mr.K.Venkataramani, AAG VII Assisted by Mr.K.Dhananjayan, learned Special Government Pleader appearing for the second respondent.

2.The relief sought for in this Writ petition is to quash the proceedings of the second respondent issued on 15.04.2014, in respect of the rejection of the Educational Qualification acquired by the writ petitioner.

3.The learned counsel for the writ petitioner made a submission that the writ petitioner have passed SSLC examination in the year 1978 and thereafter studied B.A. Degree in History at University of Madras between the year 1987 and 1990. Subsequently, the writ petitioner completed B.Ed., Course in Bharathidasan University in the year 1999. The Tamil Nadu Teachers Eligibility Test exam was cleared by the writ petitioner in the year 2012 and the same was rejected for appointment, since the writ petitioner has not completed Higher Secondary Course. However, the writ petitioner had completed the Higher Secondary Course examination in March 2013 and approached the second respondent seeking appointment for the Post of P.T Assistant.

4.The respondent rejected the same on the ground that the writ petitioner not acquired the Educational Qualification in accordance with the pattern prescribed by the State, in this regard. To say, the petitioner has not completed the pattern of Education qualification prescribed as 10+2+3. Contrarily, the petitioner has acquired reverse Degree which cannot be accepted. In this regard, the learned counsel for the writ petitioner relied upon the Judgment rendered by this Court in W.P.No.1068 of 2014 on 11.03.2014.

5.The learned Additional Advocate General appearing on behalf of the respondents made a submission that the writ petitioner has passed the Courses in the following order.

SSLC	April	1978
B.A., (English)	Open University	1987 - 1990
B.Ed.,	--	1999
HSC	--	March 2013

This apart the Courses completed by the writ petitioner was not in conformity with the pattern prescribed by the State in G.O.Ms.No.107 (P & A R) Department dated 18.08.2009.

5. The learned Additional Advocate General brought to the notice of this Court, that the Judgment relied upon by the learned counsel appearing for the petitioner in the case of V.Kanimozhi -vs- Teachers Recruitment Board was reversed by the Hon'ble Division Bench of this Court in W.A.No.805 of 2014 and M.P.No.1 of 2014 and the order of the learned Single Judge dated 11.03.2014 in W.P.No.1068 of 2014 was set aside.

6. Thus, there is no infirmity in the order of rejection passed by the respondents in this writ petition and the Judgment relied upon by the learned counsel for the petitioner was also reversed by the Hon'ble Division Bench. Thus the grounds raised in this writ petition on merits deserves no further consideration.

7. Accordingly, this Writ Petition stands dismissed.
However, there is no order as to costs.

-s/d-
Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

ah/rna

To

1. The Secretary,
Education Department,
Government of Tamil Nadu,
Secretariat, Chennai.

2. The Assistant Director,
Teacher Recruitment Board,
College Road,
Chennai - 600 006.

+1 Cc to Govt. Pleader sr 65653.

+1 Cc to Mr. A.S. Kailasam & Associates, sr 65751.

SV (CO)
sp (03/10/2017)

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