

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13758 of 2017 and
WMP.No.14941 of 2017

J.Jebaseeli Gnanapushpam

...Petitioner

versus

Teachers Recruitment Board,
rep. by its Chairman,
4th Floor,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-600 006.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus to direct the respondent to consider the petitioner's application for the post of Post Graduate Assistants/Physical Education Directors, Grade-I for Tamil Nadu Higher Secondary Education Service as per advertisement No.03 of 2017 dated 09.05.2017.

For Petitioner : Mr.P.R.Shankar

For Respondent : Mr.P.Sanjay Gandhi, AGP.

ORDER

Petition has been filed seeking for the issuance of Mandamus to direct the respondent to consider the petitioner's application for the post of Post Graduate Assistants/Physical Education Directors, Grade-I for Tamil Nadu Higher Secondary Education Service as per advertisement No.03 of 2017 dated 09.05.2017.

2. The petitioner having passed SSLC in the month of April 1991 has also passed 12th standard in the month of March 1992. Thereafter, he has also acquired B.Com decree in the month of April 1995 and M.Com Degree in the month of October 2001 and B.Ed in the month of April 2008. With this qualification, when the petitioner was curiously waiting for employment, the respondent herein, the Teachers Recruitment Board, has issued a notification dated 09.05.2017 inviting applications from the eligible candidates stating that the candidates should possess M.A/M.Sc/M.Com in the relevant subject with B.Ed., in 10+2+3+2+1 or 10+3+3+2+1 pattern and all the certificates regarding educational qualifications should have been issued prior to the last date for submission of filled-in application announced in the recruitment notification published by TRB. The petitioner has mentioned that since he has passed SSLC in the month of April 1991 and has also passed 12th standard in the month of March 1992, he was not able to apply through on-line. Therefore, he has given representation to the authorities enclosing all the Government Orders and the authorities failed to take steps. Therefore, he has come forward before this Court.

3. The only submission made by the petitioner is that when he had already passed SSLC in the month of April 1991 and secured 389 marks and also passed +2 in the month of March 1992, he claims the benefit under G.O.Ms.No.10 dated 11.03.1992. Hence, the G.O.Ms.No.1171, Education 5(v1) Department dated 27.11.1992, has nothing to do with the certificate. Therefore, a direction may be given.

4. The learned Additional Government Pleader appearing for the respondent drawing the attention of this court to paragraph No.6 of the Prospectus issued by the respondent namely, the Teachers Recruitment Board, submitted that candidates should possess M.A/M.Sc/M.Com in the relevant subject with B.Ed., in 10+2+3+2+1 or 10+3+3+2+1 pattern. Therefore, the petitioner is not having 10+2 qualification and his application cannot be accepted. Hence, the petition should be rejected.

5. I fully agree with the submission made by the learned Additional Government Pleader for the respondent. The reason is that the Prospectus clearly mentions that the candidates should possess M.A/M.Sc/M.Com in the relevant subject with B.Ed., in 10+2+3+2+1 or 10+3+3+2+1 pattern and the petitioner is admittedly having 10+1. Hence, his application cannot be entertained, as he was ineligible.

6. Therefore, the writ petition fails and is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

PA

To

Teachers Recruitment Board,
rep. by its Chairman,
4th Floor,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-600 006.

+1cc to the Government Pleader, S.R.No.43162

+1cc to M/s.P.R.Shankar, Advocate, S.R.No.42800

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