

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.01.2017

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.32283 of 2012

Rajiv Gandhi

... Petitioner

- Vs -

1. Additional Chief Secretary
to Government,
School Education(C-2) Department,
Chennai-600 006.

2. Chairman,
Teacher Recruitment Board,
College Road,
Chennai-600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records of G.O.Ms.No.181 dated 15.11.2011 by the 1st respondent and quash the same.

For Petitioner : No Appearance
(M/s.J.Milton Arul Rajendran)

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

O R D E R

No representation for the petitioner.

2. According to the petitioner, he has completed his bachelor degree in B.A., Historical studies and he joined B.Ed., at Our Lady College of Education, Madurayoyal, Chennai and obtained first class in Teacher Training Course and the same was registered at District Employment Office, Villupuram. On 07.03.2012 Teachers Recruitment Board has conducted Tamil Nadu Teacher's Eligibility Test (TNTET)-2012 for which application has been issued. Date of written examination was conducted on 03.06.2012 This exam was conducted as per G.O.Ms.No.181, School Education (C2) Department, dated 15.11.2011. The petitioner has secured 83 marks in Tamil Nadu Teachers Eligibility Test

supplementary 2012. But Teachers Recruitment Board has declared cut off 90 marks without allotting reservation, but, G.O.Ms.No.181 dated 15.11.2011 has been issued School Education (C2) Department in which guidelines has framed for conducting Teachers Eligibility Test (TET) thereby qualifying marks be issued that paragraph 9 state that a person who scores 60% or more in the T.E.T. Exam will be considered as T.E.T. Pass school managements (Government, Local Bodies, Government Aided and unaided) and may consider by giving concessions to persons belonging to SC/ST, OBC differently abled persons, etc., in accordance with their extent reservation policy. Whereas the Teachers Recruitment Board had failed to comply the G.O.Ms.No.181 as well as National Council for Teacher Education (NCTE) guidelines. As per Government Order, passing mark is 60% and in which concessions also granted. Those who belong to SC/ST and OBC whereas the Teachers Recruitment Board has not followed the said Government Order mark criteria has been fixed as if who secured 90 marks those are eligible, based on such Teachers Recruitment Board without following Government Order announcement. The petitioner has been disqualified even he obtained 83 marks. Teachers Recruitment Board has not rendered any mark concession for Tamil Nadu Teachers Eligibility Test 2012 for SC/ST and OBC which is totally contrary to Government Order. The petitioner pertained to Scheduled Caste community and he lost his right for such Teachers Recruitment. Moreover, reservation also not followed by Teachers Recruitment Board in TET Examination 2012.

3. According to the petitioner, the respondent has not considered him similar to that of the Government of Andhra Pradesh, wherein the Government of Andhra Pradesh has granted relaxation of marks to the different reservation categories. Therefore, challenging the G.O.Ms.No.181 dated 15.11.2011, the petitioner is before this Court with this writ petition.

4. It is brought to the notice of this court that subsequently, relaxation of 5% marks has been granted under G.O.Ms.No.25 School Education (TRB) Department dated 06.02.2014, which is applicable only to Tamil Nadu Teachers Eligibility Test (TNTET)-2013, held on 17.08.2013 and 18.08.2013 and for future Teachers Eligibility Test (TET) for the reserved categories. It is also brought to the notice of this Court that the said aspect was considered by the Division Bench of this Court in the batch of Writ Petitions and Writ Appeals and subsequently, in S.L.Ps before the Hon'ble Apex Court, and the validity of G.O.Ms.No.25 School Education (TRB) Department dated 06.02.2014, is upheld by the Supreme Court.

5. In the light of the above, this writ petition deserves to be dismissed. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssn

To

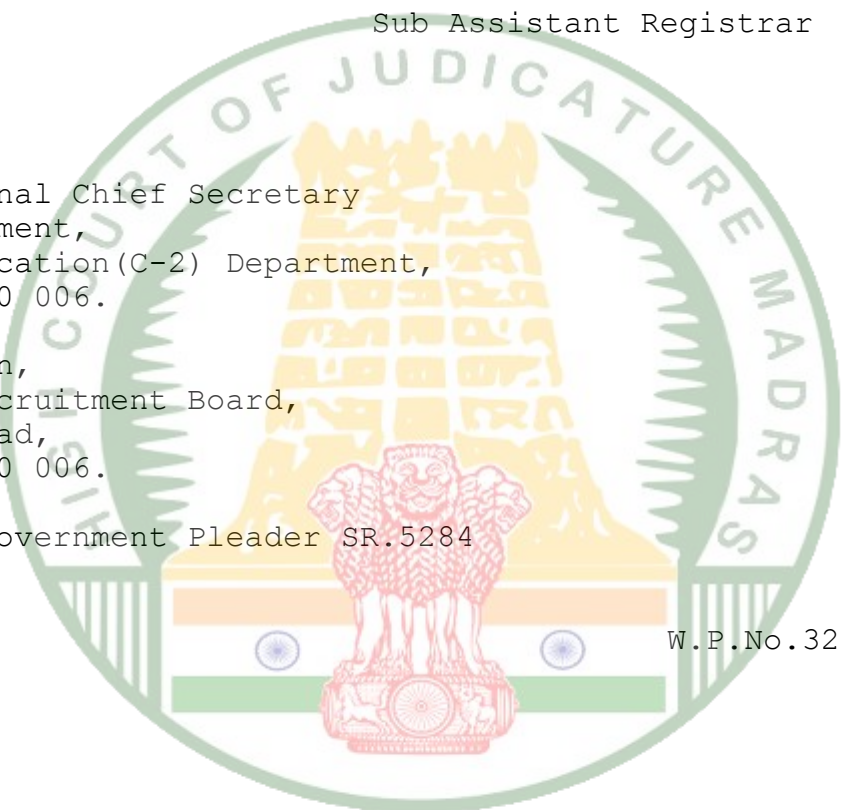
1. Additional Chief Secretary
to Government,
School Education(C-2) Department,
Chennai-600 006.

2. Chairman,
Teacher Recruitment Board,
College Road,
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+1 cc to Government Pleader SR.5284

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VGII(CO)
EU 28.4.17

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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