

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.32829 of 2016

1.P.Sellamuthu
2.S.Venkatesan

.. Petitioners

Vs

1.The Chairman,
Teachers Recruitment Baord,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 6.

2.The Director of Technical Education,
Chennai - 25.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to follow the recruitment rules in the matter of appointment of lecturer in various polytechnics in the State of Tamil Nadu under the Tamil Nadu Educational Service by considering the representation of the petitioner dated 29.08.2016 and pass such further orders.

For petitioner : Mr.S.Selvathirumurugan

For Respondents : Mr.K.Rajendraprasad, GA

ORDER

By way of filing this writ petition, the petitioners seek a direction to the respondents to follow the recruitment rules in the matter of appointment of lecturer in various polytechnics in the State of Tamil Nadu under the Tamil Nadu Educational Services by considering their representation dated 29.08.2016.

2. Learned counsel for the petitioners submitted that both the petitioners have obtained Bachelor of Engineering in Mechanical Engineering with second class and they have also completed Master of Engineering with first class and both of them have completed their degrees before the year 2009. It is further submitted that All India Council for Technical Education

(AICTE) prescribed the qualification for the post of Lecturer as stated below:

- (a) A first class degree in engineering, or
- (b) and Masters Degree in Engineering.

Contrary to the qualification prescribed above, in the year 2012, the Teachers Recruitment Board issued an Advertisement No.02/12, dated 27.02.2012 inviting application for direct recruitment to the post of Lecturer (Engineering/Non-Engineering) for Government Polytechnic Colleges. In the said advertisement, they have prescribed the qualification for the said post as stated below:

"A first class bachelor's degree in the branch of engineering relating to the post concerned."

3. In view of the above, it is further submitted that the first respondent suspiciously omitted to include the Masters Degree in Engineering and therefore, the petitioners had lost an opportunity in taking part in the competitive examination held in the year 2012. Therefore, he sought for a direction to the authorities to follow the recruitment rules for the future recruitment.

4. But, this Court is unable to accept the above said contention of the petitioners, the reason is, the qualification prescribed by the AICTE for the post of Lecturer being first class degree in the BE, this Court cannot direct the authorities concerned to take into account the Masters Degree also during the recruitment for filling up of the said post, as it is for the authorities to take a call on this issue. Secondly, earlier, when the first respondent issued a Notification dated 27.02.2012 prescribing the qualification of first class BE degree, the petitioners, for the reasons best known to them, have not questioned the same.

5. It is also admitted by the petitioners that they have obtained BE degree with second class only, therefore, merely because they did not obtain the degree with first class, they cannot seek a direction to the authorities to take into account of Master Degree also so as to make them eligible to apply for the said post. Therefore, on this count, this Court does not find any reason to entertain the writ petition and accordingly, the same is dismissed as devoid of any merit. No Costs.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

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To

1.The Chairman,
Teachers Recruitment Baord,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 6.

2.The Director of Technical Education,
Chennai - 25.

+1cc to Mr.MR.S.SELVATHIRUMURUGAN, Advocate, S.R.No.
76090/17

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SR (CO)
TR(21/11/2017)



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