

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2017

CORAM :

THE HONOURABLE MR. JUSTICE P.D.AUDIKESSAVALU

W.P.No. 39250 of 2003

V.Shanthi

... Petitioner

Vs.

1. State of Tamil Nadu
Rep by Secretary to Government,
Education Department,
Fort St. George,
Chennai - 600 009.
 2. The Director of Government Examination,
D.P.I. Compound,
College Road,
Chennai - 600 006.
 3. The Directorate of Teacher Education,
Research and Training,
D.P.I. Compound,
College Road, Chennai - 600 006.
 4. The Chief Educational Officer,
Trichy, Trichy District.
 5. The Principal,
Annai Angel Teacher Training
School for Women,
Thuraimangalam,
Perambalur Taluk,
Trichy District.
 6. The Joint Director
Office of the Director of Government Examination,
D.P.I. Compound,
College Road,
Chennai - 600 006.
- ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the relevant records relating to the impugned order issued in proceedings in Na.Ka.No.235539/C2/2003 dated 27.11.2003 passed by the Joint Director, Office of the Directorate of Government Examination, D.P.I. Compound, College Road, Chennai - 600 006, the 6th respondent herein and quash the same as arbitrary, unreasonable, improper, illegal, against the rules and regulation of the respondents and violation to the principles of Natural Justice and thereby direct the respondents to relax the requirement of 5 marks for studying the Diploma in Teacher Education course as done in the case of other similarly placed persons and publish the results of the petitioner bearing Registration No.14750 for the Examinations conducted during April 1988 by the 2nd respondent herein, to the course of the Diploma in Teacher Education and to issue a Certificate to the petitioner.

For Petitioner : Mr.S.Srinivasan

For Respondents : Mr.E.Manoharan
Additional Govt. Pleader for R1 to
R4 & R6

Mr.C.Vediappan
For M/s.S.Mani for R5
O R D E R

Heard Mr.S.Srinivasan, learned counsel appearing for the Petitioner, Mr.E.Manoharan, learned Additional Government Pleader appearing for the respondents 1 to 4 and 6; and Mr. Mr.C.Vediappan, learned counsel appearing for the fifth respondent.

2. The Petitioner who had undergone Teacher Training Course during the period from 1985-1987 in the Teachers Training Institute of the fifth respondent has filed the present Writ Petition seeking direction to the respondents to relax the requirement of 5 marks for studying the Diploma in Teacher Education Course as done in the case of other similarly placed persons and publish the results of the Petitioner bearing Registration No.14750 for the Examinations conducted during April 1988 by the second respondent in respect of the Diploma Course in Teacher Education and issue a Certificate to the Petitioner.

3. Before filing the Writ Petition, the Petitioner appears to have made a representation to the second respondent in this regard, which was disposed by communication Na.Ka.No.235539/C2/2003, dated 27.11.2003 stating that the request of the Petitioner to publish the results of the examination conducted in April 1988 and issue certificates could not be granted in view of the judgment dated 27.04.1993 in W.P.No. 9494 of 1992 passed by this Court.

4. Though the relief sought for in the Writ Petition includes a challenge to the aforesaid letter of rejection of the second respondent, the grounds set out in the affidavit sworn in support of the Writ Petition does not indicate any illegality in that regard except containing that similarly placed persons like the Petitioner have been granted such relief which the Petitioner has been denied and has therefore been discriminated.

5. The aforesaid judgment dated 27.04.1993 in W.P.No.9494 of 1992 passed by this Court is reported in P.M.Joseph Vs. State of Tamil Nadu, Represented by Secretary to Government, Education Department and others [1993 Writ Law Reporter 604] and the case was in nature of Public Interest Litigation. This Court has quashed the orders of recognition passed by the Government in respect of the Teachers Training Institute which include the fifth respondent. This position is not disputed by the learned counsel for the fifth respondent.

6. The circumstance that the results of certain other candidates who studied in the fifth respondent-Institute, have been published and certificates have been issued, cannot be a justification to extend the relief to the Petitioner also, inasmuch as there cannot be any equality or illegality. When the recognition of the fifth respondent itself has been quashed by this Court, it is not possible to publish the results of the Examinations in respect of the candidates who had studied in the Institute of the fifth respondent and issue them certificates.

7. In the aforesaid circumstances, there is no merit in the Writ Petition and the same is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
Education Department,
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Chennai - 600 006.
- +lcc to Government Pleader sr.64121

nm(co)
ss(27/9/2017)

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