



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

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THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.7986 of 2014

Subbu Lakshmi.P

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-09.

2.The Secretary,
Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-06.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner for appointment to the post of Graduate Assistant in History in pursuance to the petitioner's qualification of a pass in Tamil Nadu Teacher Eligibility Test-2012 within the time stipulated by this Court.

For Appellant : Mr.T.Lajapathi Roy

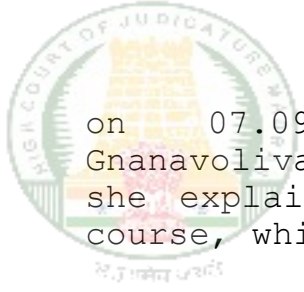
For Respondents : Mr.V.Muruganantham

Additional Government Pleader

O R D E R

This Writ petition has been filed for issuing a Writ of Mandamus, directing the respondents to consider the petitioner's name for appointment to the post of Graduate Assistant in History in pursuant to her qualification of pass in Tamil Nadu Teacher Eligibility Test-2012.

2. The learned counsel appearing for the petitioner would submit that the petitioner completed Higher Secondary examination in the year 1994 and completed B.A., (History) in the year 1997. Later, she completed degree in Bachelor of Education and while she had written, final examination in B.Ed., she appeared in the Teacher Eligibility test which was held on 03.06.2012. She got 93 out of 150 marks and called for certificate verification scheduled to be held



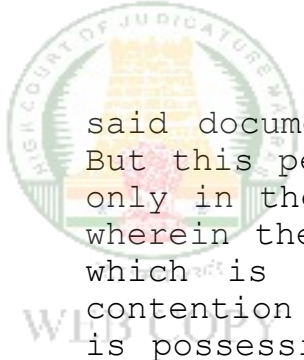
on 07.09.2012 at St.Britto Higher Secondary School, Gnanavolivapuram, Madurai. At the time of certificate verification, she explained about the continuation of the second year in B.Ed course, which would be completed by May, 2013.

3.The learned counsel for the petitioner would further submit that in the prospectus issued by the second respondent, it was stated that the candidates appearing for the final year examination of D.T.Ed/B.Ed during the current Academic year are eligible to appear for the Teacher Eligibility Test. But, she was not selected on the ground that she had not completed the B.Ed course, at the time of certificate verification and therefore, she was asked to approach them after completing B.Ed., course. Further, she had also sent a representation, dated 19.04.2014, to the respondents praying for issuance of a certificate for passing in TET and subsequently, to consider her for appointment to the post of Graduate Teacher in History. Since there was no reply from the said Teacher Recruitment Board, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the respondents would submit that the petitioner was not qualified at the time of certificate verification viz., on 12.07.2012. Even though she was permitted to write the examination of TET at the time of certificate verification for the B.Ed examination, she has not produced any document. Hence, the petitioner was not selected for the said post.

5.A perusal of the petitioner's provisional certificate of B.A in History dated 11.07.1997 and statement of marks in the first year B.Ed, dated 01.10.2012 would show that she has appeared for four papers and passed three subject and failed in one subject and again in May 2013, she has passed three subjects and failed in one subject. Further, it is seen from the statement of marks for second year B.Ed., dated 25.10.2013, that the petitioner has passed all the subjects. Again December 2013, the petitioner has cleared one paper on 21.03.2014. The petitioner has been awarded the Degree of Bachelor of Education with English and Social Science in Second class. A perusal of the Transfer certificate would show that the petitioner completed the course on 19.08.2013 and she left the programme in June 2013. Further, a perusal of the call letter issued by the Teacher Recruitment Board would show that in clause 2, the Teacher Recruitment Board requires attested copy of the S.S.L.C mark sheet and Higher Secondary School mark sheet and Degree mark sheet and regarding B.sc., B.Ed., certificates, Community Certificate and Employment Card, Contact Certificate and Physical Fitness Certificate should be produced at the time of certificate verification on 12.07.2012. The third column would show that on the date of verification, the candidates have to submit all the original documents and after that date, it will not be accepted.

6.From the above column, it is clear that only on 12.07.2012 the person ought to have passed said examination and produced the



said documents in original, to get qualification for recruitment. But this petitioner has submitted the said records of qualification only in the year 2014, which is seen from the typed set of papers, wherein the degree has been passed by the petitioner on 21.03.2014, which is beyond date of verification viz., on 12.07.2012. The contention of the petitioner is that she should be considered as she is possessing valid certificate in the year 2014. But, she has not possessed enough qualification at the time of verification and the same has to be rejected. The copy of the degree received after the said date will not be entertained.

7. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Department of School Education,
Fort St. George, Chennai-09.

2. The Secretary,
Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-06.

+1CC to Mr. T. Lajapathi Roy, Advocate, SR.No. 91086

+1CC to the Special Government Pleader SR.No. 91123

W.P. (MD) No. 7986 of 2014

05.12.2017

psd

TE/SKN RSK/SAR 1/13.04.2018/3P/5C