

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.23686 of 2014

P.Kanimozhi

... Petitioner

Vs

1.The Teacher Recruitment Board,
Rep by its Chairman,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai - 600 006.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the communication of the 1st Respondent dated 14.07.2014 in its official website and to quash the same in so far as it declares the Petitioner as ineligible for selection to the post of B.T. Assistant (History) and consequently directing the Respondents to select and appoint the petitioner to the post of B.T. Assistant (History) based on merits in the selection with all consequential benefits.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.C.Munusamy

Special Government Pleader(Education)
for R1

: Mr.K.Karthikeyan

Government Advocate for R2

O R D E R

The order of rejection, rejecting the writ petitioner for appointment to the post of B.T. Assistant, dated 14.07.2014, is under challenge in this writ petition.

2. The learned counsel for the writ petitioner states that the writ petitioner belongs to the Most Backward Class category and qualified for appointment to the post of B.T. Assistant. The petitioner had secured B.A. degree in History in the year 2009. The writ petitioner participated in the process of selection, however, she was not selected, on the ground that the higher secondary course and the degree was acquired by her, during the same year. In other words, the petitioner has studied the +2 course as well as the degree, simultaneously and in private. In view of the fact that the writ petitioner has acquired simultaneous educational qualifications, she was considered ineligible for appointment to the post of B.T. Assistant.

3. This Court is of an opinion that the persons, who are appointed to the teaching posts, must have undergone the educational courses in the regular pattern. In other words, the candidates, who acquired educational qualification through regular educational system alone, are eligible for appointment to teaching posts. This Court has repeatedly held that the candidates who have undergone and acquired degree courses through the Open University system and correspondence courses are not eligible for appointment as teaching staff. Teachers have to impart education to the children. The persons who have undergone the regular educational courses in regular schools and colleges alone, will be competent to impart better education to the children. A candidate who secures degree courses in private or simultaneously, is ineligible for appointment to the posts of teaching staff.

4. This Court is of an opinion that the writ petitioner has undergone the higher secondary course and the degree course during the same academic year. Thus, she is not eligible for appointment to the teaching posts in the Education Department.

5. Accordingly, the writ petition is devoid of merits and stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mkkn/ssr

To

1.The Chairman,
Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai - 600 006.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.65684

+1cc to the Government Pleader, S.R.No.65851

W.P.No.23686 of 2014

jp(Co)
cs/16/10/2018



WEB COPY