

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.33973 of 2017

V.Lakshmi

.. Petitioner

-vs-

Tamil Nadu Teachers Recruitment Board
rep. by its Member-Secretary,
College Road, Chennai-6.

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to offer appointment for the post of Graduate Teacher, English and appoint the petitioner as such forthwith in the light of her representation dated 1.12.2017.

For Petitioner :: Mr.M.Ravi

For Respondents:: Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to offer appointment for the post of Graduate Teacher- English to the petitioner and appoint her as such forthwith by considering her representation dated 1.12.2017.

2. Learned Counsel for the petitioner submitted that the petitioner has passed 10th and 12th Standard Examinations and then B.Sc. (Bio Technology) Degree and thereafter, also passed B.Ed. (English). Subsequently, she appeared for Tamil Nadu Teachers Eligibility Test (TET) in October, 2012 and successfully passed the same by securing 94 marks out of 150 and certificate to that effect has been issued by TET on 6.3.2017 which is valid for 7 years from the date of issuance of the said certificate. Again, the petitioner passed B.A. (English Double Degree) Course of one year duration and since it is not valid for the purpose of appointment as Graduate Teacher-English, she studied 3 years Degree Course, namely, B.A.-English through Annamalai University in December, 2015 and emerged successful and now, she has become fully eligible and qualified to be appointed as Graduate Teacher-English.

3. The learned Counsel for the petitioner further submitted that this Court, in an identical situation in W.P.No.34643/2012, by order dated 14.11.2017, while allowing the said Writ Petition made it clear that once a candidate obtained 3 years B.A. Degree Course, there is no bar for the respondents to appoint such a candidate as a Graduate Teacher, though the requisite qualification is acquired after undergoing any Bachelor Degree in any field, B.Ed. Course and passed in TET Examination.

4. The learned Counsel for the petitioner also submitted that in the present case, the petitioner has acquired B.Sc. (Bio Technology), B.Ed. (English) and also passed in TET conducted in October, 2012 by securing 94 marks out of 150 marks and above all, she has also obtained B.A. English from Annamalai University in December, 2015 through Correspondence which shows that the petitioner is not only qualified in B.Sc. (Bio Technology), but also in English Subject. Since the petitioner has not passed B.A. English Degree examination before passing the TET Examination, she was not selected for the post of Graduate Assistant-English. Therefore, a direction should be issued as prayed for by the petitioner in the Writ Petition, it is contended.

5. Opposing the above said prayer, the learned Special Government Pleader submitted that the petitioner, no doubt has passed B.Sc., (Bio Technology), B.Ed. in English. With this qualification, being eligible to take up the TET Examination, she has also passed the same in October, 2015 for which a certificate has been issued declaring the petitioner as pass. But the petitioner done her B.A. English Double Degree also to get over any technical objection. She has also completed B.A. English Subject 3 years Course through Correspondence from Annamalai University after passing of the TET which cannot be taken into account. The qualification to become eligible for the post of teacher-English is to first study B.A.-English, B.Ed. and then pass the TET examination.

6. This argument of the learned Special Government Pleader cannot be accepted. The reason is as rightly mentioned by the learned Counsel for the petitioner once the petitioner has passed B.Sc. Degree in Bio Technology and B.Ed. Degree in English and also passed TET Examination held by the Teachers Recruitment Board during October, 2012, she has been qualified to become a teacher in B.Sc. Subject. But in the present case, to widen her scope to become a teacher in English Subject, the petitioner has studied B.A. Degree English through Correspondence Education in Annamalai University. Therefore, the petitioner, who already became eligible to be appointed as a Teacher in B.Sc., has also acquired B.A. Degree in English subsequently. Therefore, as rightly contended by the learned Counsel for the petitioner, there is no need for the petitioner to once again pass the TET.

7. In view of all the above, the respondent is directed to appoint the petitioner as Graduate Teacher either in B.Sc., or in B.A. English, by considering her representation dated 01.12.2017, at the earliest.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

Member-Secretary,
Tamil Nadu Teachers Recruitment Board,
College Road, Chennai-6.

+1cc to Government Pleader Sr.No.3404

+1cc to Mr.M.Ravi, Advocate SR.No.1004

sm:25.1.2018

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