

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.30682 of 2013

M. Vimala

... Petitioner

Vs.

- 1 The Registrar,
Periyar University,
Salem- 636 011
 - 2 The Registrar,
Tamil Nadu Teachers Education University,
Chennai - 600 005
 - 3 The Principal,
Jai Sri.Venkateswara College of Education,
Dharmapuri - 637 701
- ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus to call for the records of the impugned letter issued by the first respondent in Pe.Pe./R.T.I.A./56/2013 dated 14.08.2013 and quash the same sofaras it insist +2 certificate and consequently direct the first respondent to publish the B.Ed results of the petitioner and to issue B.Ed Degree Certificate without insisting +2 certificate.

For Petitioner : Mr.K. Shanmugam

For R.1 : Mr.V. Thirupathi

For R.2 : Mr.P. Sekaran

For R.3 : Mr.S. Palanirajan

ORDER

The petitioner has filed the above writ petition seeking to issue a Writ of Certiorarified Mandamus to call for the records of the impugned letter issued by the first respondent in Pe.Pe./R.T.I.A./56/2013 dated 14.08.2013 and quash the same sofar as it insists +2 certificate and consequently direct the first respondent to publish the B.Ed results of the petitioner and to issue B.Ed Degree Certificate without insisting +2 certificate.

2. The case of the petitioner is that she worked as Elementary School Headmistress in the Panchayat Union School in Dharmapuri District. She passed SSLC during 1985 and passed 2 years Diploma in Teacher Education during 1988 and she was appointed as Secondary Grade Teacher. While she was working as Secondary Grade Teacher, she studied and obtained 3 year Degree in B.Lit from Chennai University and later she studied B.Ed course in the third respondent College for one year, which comes under the first respondent University. She wrote all the examinations for B.Ed course during 2008, but the first respondent neither published the result nor issued B.Ed certificate and by the impugned letter dated 14.08.2013, the first respondent directed to produce Certificates for 10th standard, +2 and Degree. The petitioner had passed two years Diploma in Teacher Education, which is equivalent to +2, as held by this Court in WP Nos.23382/2012, 10729/2013 and 20595/2013. But the respondent rejected the claim and hence the petitioner has filed the above writ petition seeking to quash the impugned letter issued by the first respondent in Pe.Pe./R.T.I.A./56/2013 dated 14.08.2013 and further direct the first respondent to publish the B.Ed result and issue B.Ed Certificate.

3. The learned counsel for the petitioner would bring to my notice the common order passed in a batch of writ petitions by the Hon'ble Ms.Justice K. Suguna in W.P Nos.25432 of 2011 and etc., batch cases dated 02.07.2012 wherein, a learned Judge after having considered elaborately all the above aspects, including the instruction impugned in these writ petitions, has held that the Teacher Training Course should be construed to be equivalent to Higher Secondary Course (+2) and therefore, though the petitioners therein had not undergone Higher Secondary Course (+2), they will be entitled for promotion as B.T. Assistants since the U.G and B.Ed degrees obtained by them after completing the Teacher Training Course is sufficient qualification for such promotion. In my considered opinion, the petitioners who stand in the similar footing are also entitled for the same relief.

4. This issue is further settled by the Order of this Court in W.P.No.24394 of 2013 dated 02.09.2013, wherein this Court observed as follows:

" 4. The said contention of the Government is already rejected by this Court in W.P.No.20595 of 2013 dated 29.07.2013, wherein, it has been decided that two years Diploma in Teacher Education is equivalent to Plus two qualification. As the issue is already covered by the judgment of this Court, the impugned list as far as the petitioner is quashed and the respondents

are directed to promote the petitioner as Middle School Headmistress from the date on which her immediate junior was promoted with all benefits. The respondents are directed to complete the aforesaid exercise within a period of eight weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed. No costs."

5. Following the same, the impugned letter dated 14.08.2013 is quashed and the writ petition stands allowed directing the respondents to publish the B.Ed results of the petitioner and to issue B.Ed Degree Certificate and such exercise shall be done within a period of six weeks from the date of receipt of a copy of this order.

Assistant Registrar

Dt.25.1.18

//True Copy//

Sub Assistant Registrar

To

- 1 The Registrar,
Periyar University,
Salem- 636 011
- 2 The Registrar,
Tamil Nadu Teachers Education University,
Chennai - 600 005
- 3 The Principal,
Jai Sri.Venkateswara College of Education,
Dharmapuri - 637 701

+1 cc to Mr.K.Shanmugam,advocate,sr.420

+1 cc to Mr.U.Venkatesan,advocate,sr.140

+1 cc to Mr.S.Palani Rajan,advocate,sr.293.

Rr(co)
krd 2/2

W.P.No.30682/2013