

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :01.03.2018
CORAM
THE HON'BLE MR.JUSTICE R.MAHADEVAN
W.P.No.25719 of 2012
and
M.P.No.2 of 2012

D.Jothi

..Petitioner

vs

- 1.The Chairman,
The Teachers Recruitment Board,
E.V.K.Sampath Maligai, College Road,
Nungambakkam, Chennai - 6.
- 2.The Government of Tamil Nadu,
Rep.by Secretary,
Personnel & Administrative Reforms(M)
Department,
Secretariat, Chennai - 9.
- 3.The Director,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 6.
- 4.The University of Madras,
Rep.by Registrar,
Chepauk, Chennai - 5.
- 5.The Government of Tamil Nadu,
Rep.by Principal Secretary,
Secretariat, Chennai - 9.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent ending with G.O.Ms.No.24 dated 04.02.2011 and G.O.Ms.No.133 dated 04.06.2012 issued by the 5th respondent and quash the same and consequently direct the respondents to declare B.Sc., Bio Chemistry as eligible to the post of B.T.Assistant in Tamil Nadu Secondary Education Service and to appoint the petitioner in the post of B.T.Assistant Chemistry in accordance with her employment seniority by applying rule of reservation based on certificate verification completed on 07.09.2012.

For Petitioner :M/s.N.A.Nissar Ahmed
For RR1 to R3, R5:M/s.C.Munusamy, Spl GP
For R4 :M/s.L.P.Shanmugasundaram

O R D E R

This writ petition has been filed to quash G.O.Ms.Nos.24 & 133, dated 04.02.2011 and 04.06.2012 respectively, issued by the 5th respondent and to direct the respondents to declare B.Sc. Bio Chemistry as eligible to the post of B.T.Assistant in the Tamil Nadu Secondary Education Services and to appoint the petitioner in the post of B.T.Assistant Chemistry in accordance with her employment seniority by applying the rule of reservation, based on the certificate verification completed on 07.09.2012.

2.When the matter was taken up for consideration, the learned counsel appearing for the fourth respondent produced a copy of the communication dated 01.03.2018 sent by the fourth respondent, wherein, it has been stated as follows:

"..the Board of Studies in Biochemistry (Common Board) of the University at its meeting held on 14.11.2014 has made deliberations on the item no.4 of the G.O.Ms.No.228 Higher Education (K2) Department, dated 04.11.2013 and made the following resolutions:-

1. RESOLVED that a B.Sc., Biochemistry graduate with B.Ed is eligible to teach science subjects (Chemistry and Biology) at High School level
2. RESOLVED to recommend to TNPSC and TRB to consider B.Sc Biochemistry graduates with B.Ed as eligible to teach science subjects (Chemistry and Biology) at High School level.

Accordingly, a letter has been sent to the Secretary, Higher Education Department, Secretariat and the Secretary, Personnel and Administrative Reforms Department, Secretariat, Chennai on 22.05.2015 informing the above recommendations."

3.In the light of the aforesaid communication, this writ petition stands disposed of, directing the respondents to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chairman,
The Teachers Recruitment Board,
E.V.K.Sampath Maligai, College Road,
Nungambakkam, Chennai - 6.
- 2.The Secretary to Government of Tamil Nadu,
Personnel & Administrative Reforms(M) Department,
Secretariat, Chennai - 9.
- 3.The Director, Directorate of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai - 6.
- 4.The Registrar, University of Madras,
Chepauk, Chennai - 5.
- 5.The Principal Secretary,
The Government of Tamil Nadu,
Secretariat, Chennai - 9.

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr 16226
+1 cc to the Govt Pleader High Court Madras sr 16301

W.P.No.25719 of 2012

ca(co)
aa16/04/2018