



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
RESERVED ON : 22.11.2018

DELIVERED ON : 04.12.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P(MD)No.21956 of 2018

and

W.M.P(MD)Nos.19899 and 19900 of 2018

1.G.Ramamoorthi

2.G.Kastro

3.S.Jeya Krishnan

.. Petitioners

Vs.

Teachers Recruitment Board
rep. by its Member Secretary,
4th Floor, DGP Complex,
College Road, Chennai - 6.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent's Provisional List of Candidates called for Certificate Verification dated 23.09.2017 and consequential Tentative Provisional Selection List dated 13.08.2018 for the post of Special Teachers of Drawing as per Notification No.5/2017 dated 26.07.2017 of the respondent and quash the same as devoid of merit and consequentially direct the respondent to include the petitioners name in the Tentative Provisional Selection List dated 13.08.2018 within the period as stipulated by this Court and pass such further or other orders.

For Petitioners : Mr.A.Haja Mohideen

For Respondent : Mr.VR.Shanmuganathan,
Special Government Pleader.

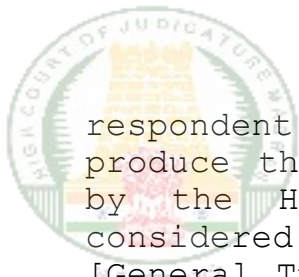
ORDER

All the three petitioners herein who have participated in the Special Teachers [Drawing] recruitment, are aggrieved by non-inclusion of their names.

2.The main contention raised by these petitioners is that though they have studied Higher Grade [Free Hand Outline and Model Drawing] in Tamil medium, their candidature was not considered under the priority quota for PSTM.

<https://hcservices.courts.gov.in/hcservices/>

3.The learned Special Government Pleader representing the



respondent has contended that these petitioners having failed to produce the requisite certificates in the prescribed format issued by the Head of the institution, their candidature were not considered under the priority quota, but only under Backward Class [General Turn]. The cut off mark for BC [GT] was 64 whereas these petitioners have secured less than that. Hence, their candidature was not considered.

4. Heard the learned counsel appearing for the petitioners as well as the learned Special Government Pleader representing the respondent.

5. The relevant portion of the notification regarding educational qualifications and reservation for PSTM candidates are extracted below:

DRAWING TEACHER	1. General Educational Qualification: S.S.L.C. 2. Technical qualification: (i) a. Degree with Drawing and Painting under Part III of a University in the State or its equivalent. or b. Diploma in Painting or Diploma in Drawing of the Annamalai University. or ii) Diploma in Painting or Commercial Arts or Modeling of the Government College of Arts and Crafts; or Government Technical Examinations (Higher Grade) in free hand outline and Model Drawing or Government Diploma in Drawing or a Certificate issued by the Tamil Nadu Institute of Architecture and Sculpture, Mamallapuram. and (iii) Technical Teachers Certificate. Or (iv) a. A Diploma in Fine Arts (5 Years Course) awarded by Director of Technical Education or b. A Bachelor Degree in Fine Arts awarded by the Madras University or Bharathidasan University.
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9(c) **Tamil Medium Study Certificate:** Candidate who claims reservation under PSTM category has to produce Tamil Medium Study Certificate in the prescribed format (Annexure - II).

**Annexure II**

Tamil Medium: Persons Studied in Tamil Medium (PSTM) have to produce evidence, such as Transfer Certificate, Provisional Certificate / Degree Certificate / mark sheets received from the University or from the Institution, with a recording that he / she studied the **prescribed educational Qualification in Tamil Medium**. If no evidence for "Persons studied in Tamil Medium" is found in the above certificates, then a certificate from the Head of the Institution as given below must be furnished:-

PSTM Certificate (Model Format)

**(To be issued by the Head of
Institution/Registrar/Principal)**

This is to certify that
Thiru/Tmt/Selvi..... has studied
..... in subject during the
years to in Tamil Medium. This
certificate is issued after verifying the course content /
Statement of Marks / Transfer Certificate.

Registrar/Principal/Head of the

Institution

Place :

Date :

6.The notification and the terms mentioned therein clearly direct the participants to furnish certificates from the institute. In the additional typed set of papers furnished by the petitioners herein, the PSTM certificate for Higher Grade [Free Hand Outline and Model Drawing] is found to be given by the school, not the institute and even this certificates appear to have been not given at the time of certificate verification.

7.One of the certificates issued in the name of Jeya Krishnan by the District Educational Officer indicates that Jeya Krishnan, the third petitioner herein has studied Tamil medium found in the typed set of papers, was not furnished during the certificate verification. This Court could only find PSTM certificates for SSLC, HSc, but not for Higher Grade [Free Hand Outline and Model Drawing] . Therefore, the petitioners who have secured far below the cut off mark for BC [GT], can have no grievance for non-inclusion of their names in the Tentative Provisional Selection List.

8.In the light of the above fact, this Court finds no merit in the writ petition. Hence, this writ petition is dismissed. No



order as to costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-
Assistant Registrar(ADI)

//True Copy//

Sub Assistant Registrar(CS-I)

To

The Member Secretary,
Teachers Recruitment Board,
4th Floor, DGP Complex,
College Road, Chennai - 6.

+1cc to M/s.A.Hajamohideen, Advocate Sr.No.98511

+1cc to SPL.Govt.Pleader, Sr.No.98766

SMN

KM/SV/SAR1/27.12.2018/4P/4C

ORDER MADE IN
W.P(MD)No.21956 of 2018
and
W.M.P(MD)Nos.19899 and 19900 of 2018
04.12.2018