

**HON'BLE THE ACTING CHIEF JUSTICE RAMESH
RANGANATHAN
AND
HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**

WRIT PETITION No.19498 of 2018

ORDER: (per Hon'ble the Acting Chief Justice Ramesh Ranganathan)

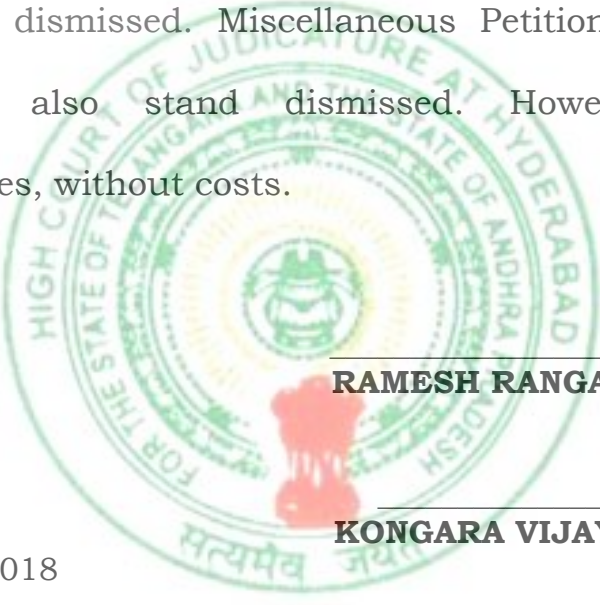
The validity of Rule 7, of the Rules notified in G.O.Ms.No.16 dated 06.06.2018, is subjected to challenge in this Writ Petition as being illegal and arbitrary.

Rule 7 relates to prescription of extra entitlement points, under which the results of the SSC March, 2018 examination in the concerned subject for Teachers, and overall percentage for Head Masters Grade-II (Gazetted) of the High Schools, form the basis for grant of extra-entitlement point. While 100% results are awarded 2.5 points; for 99% to 95% results, 2 points are awarded; and for 94% to 90% results, 1 point is awarded.

The petitioners claim that they are working in Upper Primary School and, though they have all achieved 100% results, they are not being awarded these marks. The aforesaid entitlement is applicable only to results of SSC March, 2018 examination, and not for results of Upper Primary Classes examinations. While results of classes 1 to 9, in all schools, are based on an internal assessment of the merit of the students, it is only the SSC examination which is a public examination where evaluation, or performance of student, is undertaken by teachers from other schools. The

results of the SSC examination, and the result of classes 1 to 9, constitute two different and distinct categories. The petitioners cannot complain of discrimination as it is only if people similarly placed are treated differently, can a plea of discrimination, violating Article 14 of the Constitution of India, be entertained. We see no reason, therefore, to hold Rule 7 of the Rules ultra vires Part III of the Constitution of India.

The Writ Petition as filed is wholly misconceived and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. However, in the circumstances, without costs.



RAMESH RANGANATHAN, ACJ

KONGARA VIJAYA LAKSHMI, J

Date: 18.06.2018
usd

