

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7045 of 2018

and

W.P.No.8718 of 2018

P.Pushpavalli

..Petitioner

vs

1. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.

2. The Chairman,
Teacher Recruitment Board,
DPI Campus, College Road,
Chennai 600 006.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to select and appoint the petitioner to the post of B.T.Assistance (Tamil) based on the qualification acquired by the Petitioner with B.Lit and pass in Teacher Eligibility Test examination conducted in the year 2013 on merit in selection by considering the representation submitted by the petitioner dated 20.02.2018 within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.A.Raja Perumal
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to select and appoint the petitioner to the post of B.T.Assistant (Tamil) based on the qualification acquired by the petitioner with B.Lit and pass in Teacher Eligibility Test Examination conducted in the year 2013, on merits by considering the representation.

2. The writ petitioner is an aspiring candidate for appointment to the post of B.T.Assistant in the Education Department. Even before going into the merits of the matter, the learned Additional Government Pleader, appearing on behalf of the respondents made a submission that the writ petitioner passed the Degree through Open University and therefore, she is not eligible for appointment to the post of B.T.Assistant (Tamil).

3. The fact remains that the petitioner acquired qualification of degree through Open University. It is settled that persons who completed degree through Open University System are not eligible to be appointed as B.T.Assistant (Tamil) in the Education Department. The Open University Degrees are declared as invalid by the Honourable Supreme Court of India, in case of the Annamalai University Vs. Secretary to Government, Information and Tourism Department reported in [(2009) 4 SCC 590]. Thus, the present writ petition deserves no consideration for adjudication on merits as the writ petitioner is not educationally qualified for appointment to the post of B.T.Assistant (Tamil).

4. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dua/nsd

To

1. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.

2. The Chairman,
Teacher Recruitment Board,
DPI Campus, College Road,
Chennai 600 006.

+1 cc to Mr.G.Sankaran, Advocate, S.R.No.13822
+1 cc to the Government Pleader, S.R.No.14129

W.P.No.7045 of 2018

EV(CO)
SSM(11/03/2019).