

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2019

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4249 of 2011

&

M.P. No.1 of 2011

S.Geetha

...Petitioner

-Vs-

1. The Chairman,
Teachers Recruitment Board,
College Road, Chennai - 6.

2. The Member Secretary,
Teachers Recruitment Board,
College Road, Chennai - 6.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to select and appoint the petitioner to the post of Block Resource Teacher Educator by awarding two marks to the teaching experience to the petitioner on the basis of the certificate produced by the petitioner.

For Petitioner : Mr.S.Nedunchezhiyan for
M/s.G.Sankaran & E.Ranganayaki

For Respondents : Mr.A.Raja Perumal, A.G.P.(Edn.)

सत्यमेव जयते

O R D E R

According to the petitioner, the petitioner has registered her qualification viz., M.A.(History) and B.Ed. In the Employment Exchange in the year 1996. The petitioner belongs to Backward Class. The respondent Board has called for applications for selection and appointment to the post of Block Resource Teacher Educators. The petitioner has secured 120 marks in the written examination. The petitioner is having teaching experience for four years and four months. At the time of certificate

verification, the petitioner has submitted all the records required by the respondent Board including teaching experience certificate, duly countersigned by the District Educational Officer, Thanjavur. However, the petitioner was not awarded any marks for the teaching experience. Hence, the petitioner has filed the present writ petition for the aforesaid prayer.

2. The second respondent has filed counter affidavit stating that the respondent Board issued notification calling for application for the post of B.R.T. Educators in the advertisement, dated 13.11.2009. The petitioner secured 120 marks in the written examination conducted by the second respondent on 31.1.2010. Since she has secured eligible cut off marks, she was called for counselling. As per the prospectus, the respondent Board awarded weightage marks to the candidates which reads as follows:

		No. of years	Marks	Maximum
		Less than 1 year	0	
(i)	Period of wait after registration in the Employment Exchange as on 14.12.2009	1 to 3 years	1	4
		3 to 5 years	2	
		5 to 10 years	3	
		10 years and above	4	
(ii)	Experience teaching in 6 to 10 std. In any recognized school as on 14.12.2009	1 to 2 years	1	3
		2 to 5 years	2	
		5 years and above	3	

The petitioner has appeared for certificate verification on 11.10.2010 and she was awarded 4 marks as weightage for registration seniority in the Employment Exchange. But, she was not awarded any marks by the respondent Board for teaching experience since the petitioner has obtained teaching experience certificate on 11.10.2010 i.e. beyond the cut-off date viz., 14.12.2009 fixed by the respondent Board.

3. Clause 16 of the prospectus reads as under:

"a) Teaching Experience: Teaching Experience certificate should have been obtained after having completed B.Ed. and after serving in a recognized school and

should be issued by the Headmaster/Principal of the concerned school and should be countersigned by the concerned Inspecting officers. Teaching Experience acquired upto 14.12.2009 alone will be considered for weightage marks (specimen copy of teaching experience certificate shown in Annexure III."

Therefore, the petitioner ought to have obtained teaching experience certificate on or before the cut-off date viz., 14.12.2009 as stated in clause 16 of the prospectus. Hence, the respondent Board has rightly rejected the application of the petitioner for the post of Block Resource Teaching Educator.

4. In the light of Clause 16 of the prospectus fixing the cut-off date as 14.12.2009, stating that the candidates should have obtained teaching experience certificate on or before 14.12.2009 for awarding weightage marks for teaching experience, the writ petition cannot be entertained and therefore, the writ petition deserves to be dismissed.

5. Accordingly, the writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Teachers Recruitment Board, College Road, Chennai - 6.
2. The Member Secretary,
Teachers Recruitment Board, College Road, Chennai - 6.

+1 CC TO GOVERNMENT PLEADER SR.NO. 6039

W.P.No.4249 of 2011
& M.P. No.1 of 2011

A.SK (22/02/2019)