

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :14.11.2019
CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.31983 of 2019
and
W.MP.Nos.32225 and 32224 of 2019

Dr.S.Shobana

... Petitioner

Vs

- 1 The Government of Tamil Nadu
Rep. by its Secretary to Government Higher
Education Department Secretariat Chennai -
600009
 - 2 The Director of Collegiate Education,
DPI Campus College Road
Chennai - 600006
 - 3 Teachers Recruitment Board
Rep. by its Member Secretary 4th Floor EVK
Sampath Maaligai DPI Campus College Road
Chennai - 600006
 - 4 Joint Director Of Collegiate
Education Coimbatore Region
Coimbatore - 641018
- Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notification No. 12/ 2019 dated 28.08.2019 and 04.10.2019 issued by 3rd respondent so far as the table annexed teaching experience consolidated form is concerned and quash the same and consequently direct the 4th respondent to issue the teaching experience certificate in the prescribed format with counter signature to the petitioner for the period from 01.07.2011 to 30.10.2017 at the earliest to award 15 maximum marks in respect of the recruitment to the post of Assistant Professors in Tamil Nadu Collegiate Educational Service for Arts and Science Colleges and Colleges for education for the year 2018-19.

For Petitioners : Mr.R.Neelakandan

For Respondents : Mr.P.Kavitha, GA for R1, R2 ,R4
: Mr.C.Munusamy, Spl.G.P. for R3

O R D E R

- 1.This writ petition has been filed by the petitioner praying for the issuance Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notification No. 12/2019 dated 28.08.2019 and 04.10.2019 issued by 3rd respondent so far as the table annexed teaching experience consolidated form is concerned and quash the same and consequently direct the 4th respondent to issue the teaching experience certificate in the prescribed format with counter signature to the petitioner for the period from 01.07.2011 to 30.10.2017 at the earliest to award 15 maximum marks in respect of the recruitment to the post of Assistant Professors in Tamil Nadu Collegiate Educational Service of Arts and Science Colleges and Colleges for education for the year 2018-19.
- 2.The case of the petitioner is that she was appointed as Lecturer on 01.07.2005 in the department of International Business in Sree Saraswathi Thyagaraja College, Pollachi. She was qualified M.Phil Degree while working as Assistant Professor, she registered for part time Ph.D. Course in commerce before Bharathiar University on 01.07.2011. According to the petitioner, Teachers Recruitment Board issued notification on 04.10.2019 with Computer Code Annexure sheet calling for application for the post of Assistant Professor for the the petitioner also applied. Along with the application the petitioner has to uphold teaching experience certificate also. Therefore she approached the 4th respondent and thereafter, the petitioner made representation to the Respondents 1 to 3 on 31.10.2019 seeking to issue teaching experience certificate form 01.07.2011 to till date to her since she has been working from 01.07.2011 to till date in Sree Sarawathi Thyagaraja College, Pollachi. However, the respondents have not issued the certificate. According to the petitioner the third respondent's notification clearly indicates that the candidate who have studied in part time Ph.D Degree are entitled to get weightage marks from the date of its registration. But 4th respondent refused to countersign the teaching experience certificate referring the computer coding sheet annexed to the third respondent's notification. In such circumstance, the petitioner has come

forward with the present writ petition even seeking to quash the teaching experience consolidated form prescribed in the notification and also to direct the 4th respondent to issue teaching experience certificate.

3. Mr. R. Neelakandan, learned counsel appearing for the petitioner would submit that while reiterating averments made in the Writ Petition, would submit that the petitioner has been working in Sree Saraswathi Thyagaraja College, Pollachi from 01.07.2011 to till date and she is entitled to the teaching experience certificate, and though the petitioner approached the respondents by way of representation on 31.10.2019, the respondents have not issued teaching experience certificate duly countersigned by the forth respondent for the period from 01.07.2011 to 11.04.2017 in order to enable the petitioner to enclose the same while applying for the post of Assistant Professor pursuant to the notification issued by the third respondent.
4. The learned Government Advocate appearing for the respondents would concede the claim of the petitioner and submit that if this Court directs the respondents to consider and dispose of the representation of the petitioner in the matter of issuing teaching experience certificate, the same would be complied with by the respondents.
5. Considering the facts and circumstance of the case and in view of the submissions made by the learned counsel for the petitioner and learned Government Advocate and in view of the fact that the petitioner admittedly has been working in Sree Saraswathi Thyagaraja College, Pollachi from 01.07.2011 to till date, she is certainly entitled to the teaching experience certificate, the respondents are directed to consider the claim of the petitioner which she made in her representation dated 31.10.2019 and issue teaching experience certificate from 01.07.2011 to 11.04.2017 by duly countersigned by the forth respondent as expeditiously as possible.
6. With the above directions, this Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

jrs

To

- 1 The Secretary to Government
Higher Education Department
Secretariat Chennai - 600009
- 2 The Director of Collegiate Education,
DPI Campus College Road
Chennai - 600006
- 3 The Member Secretary
Teachers Recruitment Board
4th Floor EVK
Sampath Maaligai DPI Campus College Road
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- 4 The Joint Director Of Collegiate
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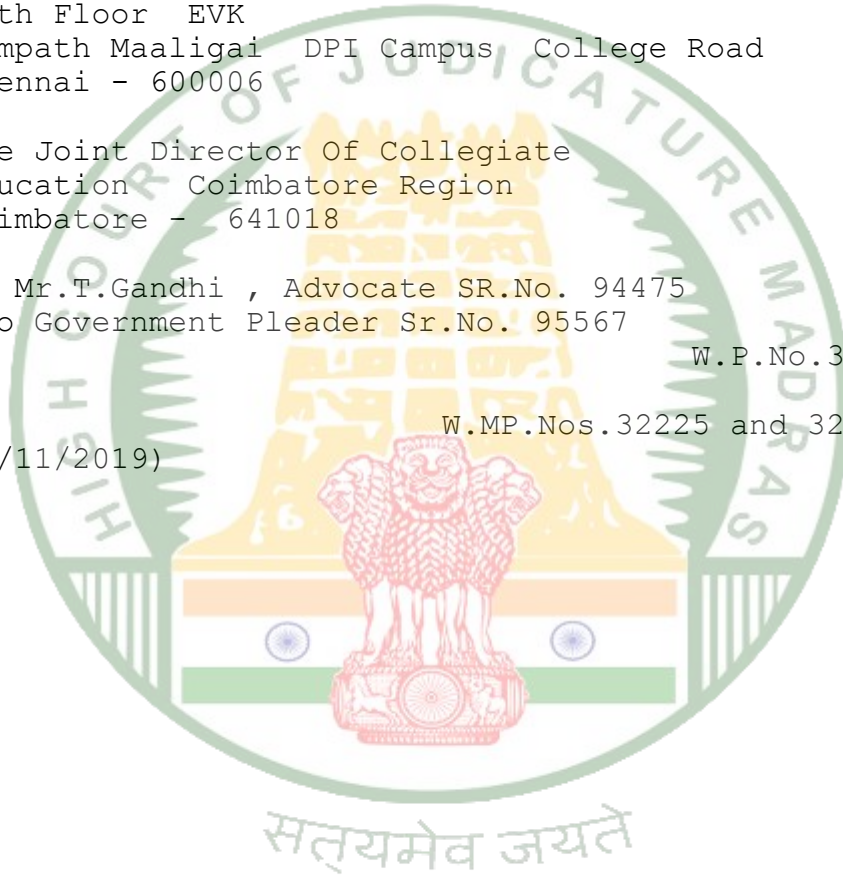
+1cc to Mr.T.Gandhi , Advocate SR.No. 94475

+1 cc to Government Pleader Sr.No. 95567

W.P.No.31983 of 2019
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A.SK(20/11/2019)



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