

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.32286 of 2019 and
W.M.P.No.32580 of 2019

R.Thirumoorthi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Higher Education Department,
Fort.St.George, Chennai-9

2.The Director of School Education,
Rina Road, Fort St.George,
Tamil Nadu 600 009

3.The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-6

.... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to forthwith accept the application online or manually by considering the qualification of 10+2+3 stream of Education without reference to the break in between 10th and 12th qualification and to consider on merit by allowing the petitioner to participate in the subsequent process of selection in relation to Notification No.12/2019 dated 28.08.2019 and 04.10.2019.

For Petitioner : Mr.S.Saravanan

For Respondents : M/s.P.Kavitha,
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner completed 10th Std in the year 1987 and 12th Std in the year

1987 and 1988. Thereafter he joined UG in the regular stream of study and completed UG in the year 1992. However, the petitioner did not complete 12th Std in regular course thereby his application for the post of Assistant Professors in Tamil Nadu Collegiate Educational Service for Government Arts & Science Colleges and Colleges of Education for the year 2018-2019 was rejected. Hence, the petitioner has filed the present petition.

3. The learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the third respondent to consider the representation made by the petitioner in this regard and pass orders within a stipulated time fixed by this Court.

4. The learned Government Advocate would submit that as per G.O.Ms.No.107 (P&AR) Dept dated 18.08.2009 and G.O.Ms.No.144 (P&AR) Dept. dated 20.11.1997, the persons who completed 10th std, 12th std and UG degree in regular course are eligible to apply. Further the petitioner completed 10th std in the year 1987 in regular course and in the year 1988 he completed 12th std though private study. Hence, the petitioner was not allowed to upload the application.

5. During the course of applying online, the petitioner was not allowed to apply for the reason that 12th / HSC or Equivalen Course Month / year of passing should be greater than or equal to 2 years from 10th / SSLC Month/ Year of passing. However, the petitioner completed 10th std in the year 1987 and 12th std in the year 1987, 1988. Since the petitioner studied 12th std in private study, he was not allowed to upload the application. The above Government Orders clearly shows that the course of study should be in 10+2+3 pattern, that too in regular course. Therefore, the prayer sought for in the petition cannot be considered.

6. With the above observations, the writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

lok

To

1. The Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Fort.St.George, Chennai-9

2.The Director of School Education,
Rina Road, Fort St.George,
Tamil Nadu 600 009

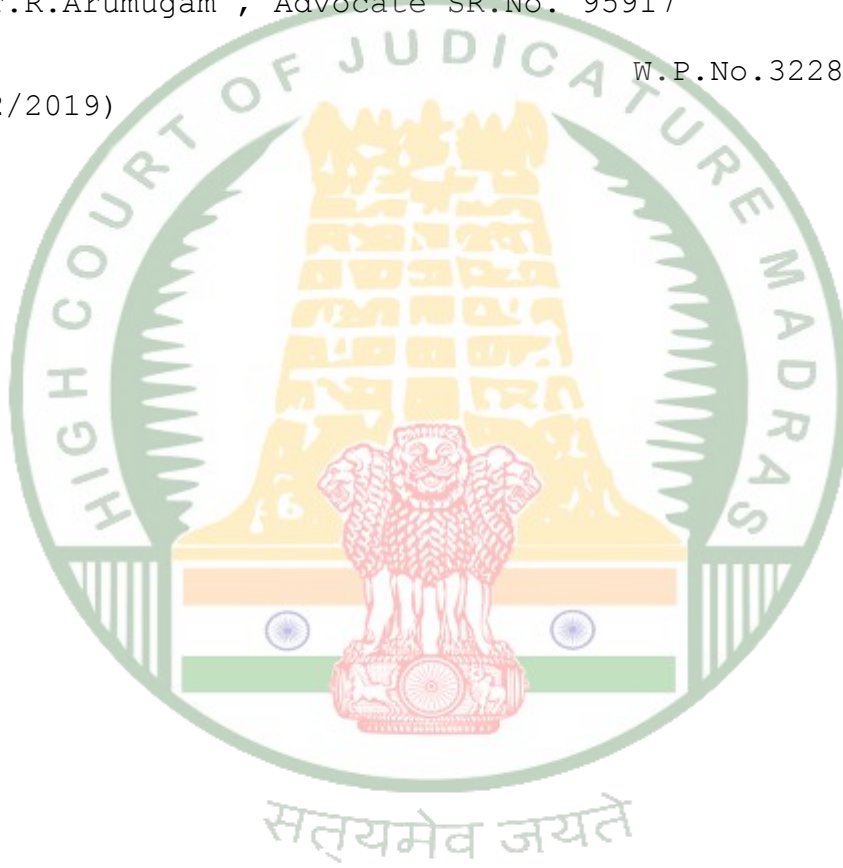
3.The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-6

+lcc to Mr.S.Saravanan , Advocate SR.No. 95042

+lcc to Mr.R.Arumugam , Advocate SR.No. 95917

A.SK(18/12/2019)

W.P.No.32286 of 2019



WEB COPY