



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.23080 of 2019

and

W.M.P.(MD)No.19816 of 2019

A.Vimala

... Petitioner

-Vs-

1.The Teachers Recruitment Board,
Represented by its Chairman,
4th Floor, E.V.K.Sampath Maligai,
Chennai.

2.The Secretary to Government,
Higher Education Department,
College Road,
Chennai.

3.P.Valarmathy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records from the respondents 1 and 2 relating to the impugned order appointing the third respondent as Assistant Professor in Government Arts College, Thiruverumbur, Trichy, as per interview schedule notification, issued by the first respondent dated 15.07.2014 quash the same and consequently, direct the respondents 1 and 2 to appoint the petitioner as an Assistant Professor by awarding proper marks in the interview based on the petitioner's performance with all consequential benefits.

For Petitioner : Mr.C.Nagamuthu

For R1 and R2 : Mr.V.R.Shanmuganathan,
Special Government Pleader.



ORDER

The order of the respondents 1 and 2, appointing the third respondent as Assistant Professor in Government Arts College, Thiruverumbur, Trichy, as per interview schedule notification, issued by the first respondent dated 15.07.2014, is sought to be quashed in the present Writ Petition and further direction is sought for to direct the respondents 1 and 2 to appoint the petitioner as Assistant Professor by awarding proper marks in the interview, based on the petitioner's performance with all consequential benefits.

2. According to the petitioner, she is fully qualified to be appointed as Assistant Professor in the Government Arts College. She has participated in the selection conducted by the first respondent in the year 2013. She was awarded 9 marks for educational qualifications, 15 marks for teaching experience and 6 marks for interview. The third respondent was awarded 9 marks for educational qualifications, 15 marks for teaching experience and 8 marks for interview. According to the petitioner, she has done well in the interview, but she was awarded only 6 marks, while, the third respondent was awarded 8 marks and based on the total marks awarded to the third respondent, she was appointed as Assistant Professor (Tamil) by the impugned order. The third respondent has acquired educational qualifications through distance education. Recently, the petitioner came to know through newspaper that this Court held that the persons, who have acquired educational qualifications through distance education, are not eligible to be appointed. On that ground, the petitioner has come out with the present Writ Petition, seeking to set aside the order of appointment of the third respondent.

3. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record carefully.

4. From the materials on record, it is seen that in the notification dated 15.07.2014 issued by the first respondent, it is not mentioned that the persons, who have acquired educational qualifications by regular course alone, are entitled to be appointed as Assistant Professor. Further, the impugned order, appointing the third respondent as Assistant Professor in Government Arts College, Thiruverumbur, Trichy, has been passed, as per interview schedule notification issued by the first respondent dated 15.07.2014. The petitioner is alleging that the marks given to the third respondent for educational qualifications and the marks given in the interview are not correct. The petitioner approached this Court, challenging the order of appointment of the third respondent, after lapse of 5 years. The reason given by the petitioner for approaching this Court belatedly, is not valid.



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5.For the above reasons, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Myr

To

1.The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
Chennai.

2.The Secretary to Government,
Higher Education Department,
College Road, Chennai.

+1 CC to M/s.V.SELVA, Advocate (SR-96863[F] dated 08/11/2019)

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JMN(20.11.2019) 3P : 4C