



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.13067 of 2014

and

M.P.(MD)No.1 of 2014

WEB COPY

G.Muthukrishnan

... Petitioner

-Vs-

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned original certificate verification result published by the respondent for the post of P.G. Assistants for the year 2011-12 and quash the same and consequently, direct the respondents to issue the appointment order to the petitioner for the post of P.G. Assistants based on the examination written by the petitioner on 27.05.2012.

For Petitioner : Mr.K.Baalasundharam
For Respondent : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

The order of rejection, rejecting the claim of the writ petitioner for appointment to the post of Post Graduate Assistant for the year 2011-12, is under challenge in the present Writ Petition.

2.The writ petitioner belongs to M.B.C., community. He completed U.G., degree in B.Sc., Zoology in Poondi Pushpam College affiliated to Bharadhidhasan University in the year 1988. Thereafter, the writ petitioner was unable to continue his higher studies on account of his poverty. However, the writ petitioner joined M.A., Tamil and completed the same during the year 1991. The writ petitioner studied B.Ed., course in Annamalai University in the year 1992, B.Ed., through correspondence education. After completing his M.A., Tamil course, the writ petitioner completed B.A., Tamil through correspondence course in Annamalai University during the year 2003. With this clarification, the writ petitioner participated in the process of selection for appointment to the post of Post Graduate Assistant in the year 2012. The writ petitioner secured 103 marks out of 200. The respondent called the writ



petitioner for certificate verification on 30.10.2012 and the writ petitioner participated in the process of certificate verification. However, his candidature was rejected on the ground that the writ petitioner has not studied the courses in order and in the pattern prescribed by the University Grants Commission. The writ petitioner had studied B.A., Tamil degree after completion of his M.A., Tamil degree. Thus, such degrees are not valid for the purpose of providing appointment to the post of Post Graduate Assistant. The candidates, who studied in the regular pattern of education in the regular colleges, alone are eligible for appointment to the teaching posts.

3.Teaching is a noble profession. Taking classes is an art. Thus, the candidates, who studied in the regular colleges alone, must be made eligible for appointment to the teaching posts. The persons, who studied double degree or reverse degree or studying undergraduate degree after completion of P.G., cannot be considered for appointment to the teaching posts. Such irregular pattern of education possessed by the candidates cannot be considered as a valid pattern of education for the purpose of providing appointment more specifically in Education Department.

4.This being the principles to be followed, this Court is of an opinion that the order of rejection of the candidature of the writ petitioner is in consonance with the legal principles. It is made clear that the respondents are bound to follow the UGC regulations for the purpose of ascertaining the validity of the degrees obtained by the candidates, who are all aspiring to secure teaching posts in Education Department. There cannot be any compromise in the matter of ascertaining the validity and the genuinity of the educational qualifications possessed by the candidates. The candidates, who studied in the regular course in the regular colleges as per the pattern prescribed by the UGC alone, must be appointed in teaching posts. Accordingly, the writ petitioner has not established that he has studied the courses as per the UGC pattern and therefore, the rejection of the candidature of the writ petitioner is in accordance with the law and there is no infirmity as such.

5.Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)



To

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

+1 CC to Mr.K.BAALASUNDHARAM, Advocate SR-82573.

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