



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.18816 of 2014

and

M.P. (MD) .Nos.1 and 2 of 2014

R.Maheswaran

... Petitioner

-Vs-

1.The Chairman,
Tamil Nadu Teachers Recruitment Board,
E.V.K. Sampath Maaligai, 4th Floor,
College Road, Chennai-600 006.

2.The Member/Secretary,
Tamil Nadu Teachers Recruitment Board,
E.V.K. Sampath Maaligai, 4th Floor,
College Road, Chennai-600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to modify the eligibility column in the Notification no.7/2014, dated 13.10.2014 issued by the 2nd respondent for Recruitment of Computer Instructors by including Master Degree in Computer Science also as eligible qualification for the post of Computer Instructor.

For Petitioner : Mr.D.Balamurugapandi

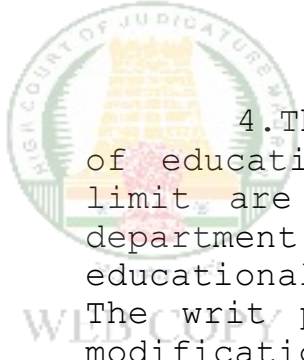
For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to modify the eligibility column in Notification No.7/2014, dated 13.10.2014 issued by the 2nd respondent for Recruitment of Computer Instructors by including Master Degree in Computer Science also as eligible qualification.

2.The writ petitioner states that he completed B.Sc., Degree (Zoology) and M.Sc., Computer Science. Further the petitioner passed B.Ed., and M.Phil also. The learned counsel appearing on behalf of the writ petitioner states that the qualification of B.Sc., with B.Ed., prescribed for appointment to the post of Computer Instructor is not in commensuration with the educational qualification prescribed for other equivalent post.

3.Thus, the present writ petition is filed seeking modification of educational qualification.



4. This Court is of the considered opinion that prescription of educational qualifications, eligibility criteria maximum age limit are to be decided by the competent authorities of the department. The employer is competent to prescribe the educational qualifications and other criteria for appointments. The writ petitioner cannot seek any relief for the purpose of modification of eligible educational qualifications in the recruitment notification. It is the administrative prerogative of the Government to prescribe educational qualifications, age limit etc., for selection and appointment to the post or cadre. This being the legal principles settled, the very relief sought for to direct the respondents to modify the educational qualification cannot be granted.

5. However, the fact remains that during the pendency of the writ petition, the educational qualification for selection and appointment to the post of Computer Instructor were upgraded and consequently Post Graduate Degree with B.Ed., is prescribed as the eligible qualification for selection and appointment to the post of Computer Instructor. In view of the fact that the claim of the writ petitioner has been already implemented by the respondent / Government, no further consideration is required and in the event of any recruitment notification, the writ petitioner is at liberty to participate in the process of selection. However, insofar as 2014 selections are concerned, the selected candidates are appointed long back and the writ petitioner, though participated in the process of selection, he was not selected. Thus, the relief as such sought for deserves no merit consideration and accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chairman,
Tamil Nadu Teachers Recruitment Board,
E.V.K. Sampath Maaligai, 4th Floor,
College Road, Chennai-600 006.

2. The Member/Secretary,
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