



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.4345 of 2014

and

M.P. (MD) .Nos.1 to 3 of 2014

A.H.Shakila Begum

... Petitioner

Vs.

1.The Chairman,
The Teachers Recruitment Board,
4th Floor, E.V.K Sampath Building,
D.P.I Campus, College Road,
Chennai 600 006.

2.The Director of Collegiate Education,
D P I Campus College Road,
Chennai 600 006.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to award appropriate marks for Teaching Experience to the petitioner Regn.No.1609900 and Certificate Verification No.13APD01083 by considering the Teaching Experience gained by the petitioner from 1991 onwards and awarding appropriate marks for M.Phil qualification (awarded 1985) based on the notification/prospects issued by the first respondent Teacher Recruitment Board dated May 2013 for selection to the post of Assistant Professor in Tamil Literature for direct recruitment of Assistant Professor in Tamil Nadu Collegiate Education Service in 2012 and consequently, direct the first respondent to allow the petitioner to undergo the process of selection including interview and to select and appoint the petitioner to the post of Assistant Professor in Tamil Literature based on merits in the selection.

For Petitioner : Mr.D.Sadiq Raja

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

**ORDER**

The relief sought for in the present writ petition is for a direction to direct the first respondent to forward teaching experience of the petitioner in Regn.No.1609900 and Certificate Verification No.13APD01083 by considering the Teaching Experience gained by the petitioner from 1991 onwards and awarding appropriate marks for M.Phil qualification (awarded 1985) based on the notification/prospects issued by the first respondent Teacher Recruitment Board.

2.The learned counsel appearing for the writ petitioner mainly contented that the writ petitioner is fully qualified for appointment to the post of Assistant Professor in Tamil Nadu Collegiate Educational Services. The process of selection for appointment to the post of Assistant Professor by way of direct recruitment in the year 2012. The writ petitioner also participated in the process of selection. The writ petitioner was unsuccessful in the process of selection and now challenging the entire selection on the ground of the experience marks were not granted to the writ petitioner and so also the marks were not awarded to M.Phil degree. The award of marks for the teaching experience is disputed by the learned counsel for the respondent by stating that in the very application submitted by the writ petitioner states that she acquired the teaching experience in higher secondary school and not in a college. As per the recruitment notification, the marks will be awarded for the experience, if the candidate has possessed teaching experience in college, admittedly and as per the application submitted by the writ petitioner. She acquired teaching experience in Matriculation Higher Secondary School. Thus, the respondents has not awarded marks for the teaching experience.

3.The learned counsel for the respondent reiterated that in this regard, the terms and conditions stipulated in the recruitment notification was followed and marks were granted for teaching experience, only if the candidates possess the experience in colleges. Thus, there is no infirmity in respect of the action in non-awarding the marks to the teaching experience of the writ petitioner. This apart, the learned counsel for the writ petitioner states that another 6 marks are to be granted for M.Phil(SLET/NET) degree. In this regard, this court is of the considered opinion that the selection was conducted in the year 2012-13 and the marks were awarded during the relevant point of time, the selected candidates were appointed long back and serving for the past more than 7 years. Under these circumstances, considering the relief to grant appointment to the writ petitioner for the post of Assistant Professor cannot be considered at all. Even if there is any such discrepancy, the writ petitioner ought to have adjudicated the same at the earliest point of time and now after a lapse of 7 years and more specifically, when the writ petitioner is unable to establish that she possessed the teaching experience in college, the other grounds raised, deserve no merits consideration.



With these observations, this writ petition stands dismissed.
No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To:

- 1.The Chairman,
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